

Iraq attacks Britain over 'interference'

Waldegrave warning on death sentence

By Christopher Walker, Cairo, and Nigel Williamson and Andrew McEwen, London

Britain and Iraq engaged in a bitter war of words on the Farzad Bazoft affair yesterday, with Baghdad dismissing the outcry over the death sentence against the *Observer* journalist for alleged spying as a "flagrant interference" in its internal affairs.

Mr William Waldegrave, Minister of State at the Foreign Office, warned Iraq that its international standing would plummet if Mr Bazoft were executed.

But Mr Latif Nassif Jassam, the Iraqi Information Minister, spoke of a "fabricated fuss" and said Mr Bazoft had had a fair trial.

Mr Waldegrave said he would not call it fair and described the sentence as "harsh and disproportionate".

As Britain continued yesterday to try to mobilize international pressure on Iraq, the mood in Whitehall was tense. Mr Waldegrave attacked as unjustified the 15-

year prison sentence imposed on Mrs Daphne Parish, the nurse who gave Mr Bazoft a lift in her car.

He told the House of Commons: "Iraq has recently shown itself to be concerned about what she would call the misrepresentation of her policies abroad. She can be in no doubt about the damage which would be done to her standing in the world, let

Parliament. . . . 12

alone her relations with the UK, if these unacceptable sentences were to be confirmed." Mr Gerald Kaufman, the shadow Foreign Secretary, pledged full support for the Government, condemning the sentences as "unacceptable".

Mr Jassam made his remarks, reported by the official Iraqi news agency, after consulting President Saddam Hussein, who alone has the power to commute the death sentence. "We consider the fabricated fuss against us a flagrant interference in our internal affairs, because our measure had fully responded with Iraqi law which sentences any spy to execution," he said.

"The case was tried fairly and the two were convicted, and sentenced in the presence of the British Consul and in accordance with the laws applied in Iraq."

Mr Waldegrave said: "From the account we have received, it is clear that no evidence was presented which would justify such harsh and disproportionate sentences." The British Consul-General had been present at the trial. "In terms of any trial that this House would recognize, we would not be happy to describe the proceedings of the revolutionary court as a fair trial."

Mr Waldegrave refused to be drawn on any measures Britain might contemplate taking against Iraq if the death sentence were carried out.

Whitehall sources believe that neither trade nor diplomatic sanctions are likely to prove effective and threats could jeopardize the chances of clemency.

The sources said there had been no response yet to an appeal sent to President Saddam by Mrs Thatcher, nor to diplomatic approaches by Ireland, France and Italy. The

Foreign Office was unsure where Mr Bazoft — born in Iran but using British travel documents — was being held. It has been told that he and Mrs Parish have been moved from a detention centre to a prison.

It appears to see little hope of their repatriation and is mainly aiming for reduced sentences. Mr Waldegrave said: "Our immediate aim is to save the life of Mr Bazoft and to secure a review of the sentence imposed on Mrs Parish."

The 160,000-strong International Federation of Journalists said in Brussels: "The shocking treatment of Bazoft is intolerable, even in the twilight world of press freedom in the Middle East."

Mr Jassam denied reports that Mr Bazoft or Mrs Parish had been tortured or exposed to pressure, describing this as a "British and Zionist circles claim".

"The evidence, criminal documents, confessions which were shown on Iraqi TV, and the confessions written in English by both convicts . . . were all proof that repels all fabrications against Iraq."

He appeared unmoved by Britain's warning that relations would be severely damaged if the execution were carried out. "They know that the eyes of the Iraqis is open, and their (the Iraqis') national security is more important than any other factor."

Mr Jassam said Iraq welcomed journalists, but would not allow anyone to use journalistic cover to penetrate Iraqi security. However, by last night no answer had been given to a written request submitted on Sunday by *The Times* for permission for a correspondent to travel to Baghdad to report the last stages of the case at first hand.

The brutality of Iraqi society was underlined yesterday when details of a new law were published by the Baghdad weekly *Al-Itihad*. It said that close relatives who killed adulterous women or their lovers could no longer be prosecuted.

The paper argued that the law, which only comes into effect if the killing takes place in the woman's family home or her parents' home, would "protect society and boost morality and virtue".

52-year wait for Lithuania's man in London



Envoy's joy: Mr Balickas with his wife under a picture of a 13th century Lithuanian king.

A Lithuanian diplomat accredited to the Court of St James for a record 52 years joined the 4,000-strong expatriate community in Britain yesterday in celebrating his country's independence (John Young writes).

Mr Vincas Balickas, aged 85, the Lithuanian chargé d'affaires, was posted to Britain in 1938 as a counsellor at his country's embassy in London.

Since the British Government has never recognized the annexation of the Baltic republics by Stalin during the Second World War, Mr

Balickas has remained on the diplomatic circuit, attending receptions and garden parties and, from time to time, taking tea with the Queen at Buckingham Palace.

Yesterday, at Lithuania House in Ladbroke Gardens, Kensington, where the celebrations began on Sunday evening, Mr Balickas said he was in good spirits but there were many problems ahead. "After half a century in the wilderness I don't really know what to say."

Diplomatic immunity from paying taxes and car and

television licence fees had helped financially but most support had come from the large Lithuanian communities in the United States.

He said things might have been easier if the Labour Government of Harold Wilson had not expropriated the gold his country had deposited in the Bank of England, to compensate for British assets seized by the Soviet Union, in the 1960s.

"It was the Russians, not us, who stole the British property. I don't suppose Britain will be in a hurry to give it us back."

Breakaway 'a threat' to Soviet Union

From Nick Worrall, Moscow, and Anatol Lieven, Vilnius

Lithuania's declaration of independence threatens to destroy the structure of the Soviet Union, President Gorbachev said yesterday, amid hints that the republic faces economic suicide.

Mr Gorbachev told the Congress of People's Deputies in Moscow that "according to unofficial sources the Lithuanian Parliament has adopted laws and resolutions which go against the will of the Lithuanian people and threaten to destroy the structure of the Soviet Union."

He suggested that the Congress form parliamentary and governmental committees to deal with this matter, and that the National Council of the Congress also form a commission to investigate and evaluate "the laws and resolutions" introduced by the new Lithuanian Parliament.

Mr Yegor Ligachov, the leading Politburo conservative, ruled out the use of military force. In a break during Congress proceedings he said: "We will not use force. We must resolve this by political means."

This is the official line from the Kremlin on the decision

which Lithuania's parliament took on Sunday with no dissenting vote. And it was echoed by Mr Gennadi Gerasimov, the Government spokesman, at a briefing in Moscow. He said only legal means could be used to challenge the decision. A commission had already been set up to examine the legality of Lithuania's action and how it might be challenged.

The Supreme Council in Vilnius sent a letter to Mr Gorbachev informing him of its decision. "We expect that you personally and the leadership of the Soviet Union will understand our decision and that the USSR will recognize our independent republic. We ask you to consider this appeal as our official suggestion to the Soviet Union to start negotiations with Lithuania . . ."

The statement also asked Mr Gorbachev to give attention to "the security of Lithuanian youth at present serving

Continued on page 24, col 7

Brake applied to Gorbachev plans

From Mary Dejevsky, Moscow

President Gorbachev's attempt to rush through constitutional changes that would transform the structure of power in the Soviet Union was unexpectedly delayed last night when deputies to the emergency session of the Soviet legislature demanded more time for discussion.

The proposed changes, which would create the new post of executive president and remove the Communist Party's monopoly on power, were not put to the vote, and a decision on how to proceed was postponed until today.

The special session of the 2,250-member Congress of People's Deputies was called to approve the necessary amendments. But the agenda, which provided less than a day for discussion, became known only yesterday when deputies

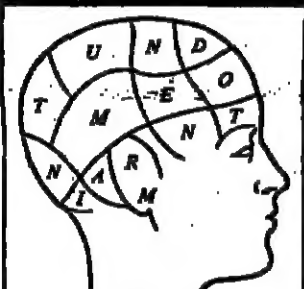
assembled. Any vote on the constitutional amendments yesterday was threatened with a boycott by deputies from the three Baltic states, Lithuania, Latvia and Estonia, and from Georgian deputies who had all signed a declaration by the republic's Supreme Soviet demanding talks with Moscow

Homeless army . . . 10

on annulling the Treaty of 1921, which brought Georgia into the Soviet Union.

Several deputies from other republics, including Azerbaijan, used their speeches to warn of the threat to their autonomy from a president whose powers would include arbitration in inter-republic disputes and dissolution of a republic's government if it was deemed unconstitutional.

INSIDE



TOURNAMENT OF THE MIND

● Round Seven of The Times Tournament of the Mind, tests word power, logic and numeracy and offers entrants the chance to win £5,000. See page 20

● Rabbi Jonathan Sacks, the next Chief Rabbi of Britain, talks to Barbara Amiel about Mrs Thatcher, Zionism and what it is to be Jewish in The Times Interview on page 13

● There were no winners of Portfolio Platinum yesterday. Today's chance to win £4,000 is on page 29

● Our 10-page report on the state of the legal profession in the 1990s begins on page 31

Ritual child abuse rife

Children are being exploited by highly-organized, sexual, physical and emotional abuse, Mr Christopher Brown, director of the NSPCC said yesterday. The Department of Health has launched an official investigation. . . . Page 3

Engineer results

A full list of newly-qualified Chartered and Incorporated Engineers is on page 41

INDEX

Home News	2-3,5
Overseas	7,9,10
Business	25-30
Sport	44-48
Appointments	43
Arts	21
Births, marriages, deaths	17
Chess	5
City Diary	27
Court & Social	16
Crosswords	22,24
Diary	14
Entertainments	22
Fashion	18,19
Features	13,14,20
Law Report	41
Leading articles	15
Legal Special Report	31-40
Letters	15
Obituary	16
On This Day	17
Parliament	12
Preview	22
Saleroom	3
Science Report	16
TV & Radio	23
Weather	24

Pre-Budget pressure on Major

Pound steady as sales soar

By Colin Narborough, Economics Correspondent

The volume of spending in the high street jumped by 2.4 per cent last month, the biggest rise since last May.

Economists said the figures cast doubt on the slowdown in consumer spending and strengthened the argument for tax increases in the Budget.

In the foreign exchange market, the pound closed 0.3 down on the Bank of England's effective rate index at 86.3. But the fall was caused by political concerns rather than retail sales figures. Shares fell, with the FTSE 100 closing down 11.5 to 2222.8. A pro-

visional 2.4 per cent leap in retail sales last month, far above City forecasts, provided a poor background for the first Budget of Mr John Major, Chancellor of the Exchequer. The foreign exchange market

Pound holds up . . . 25

Comment . . . 27

had been bracing itself for a renewed onslaught on the pound, but the currency survived the disappointing retail sales data comfortably.

The market had been expecting the pound to

weaken sharply again after last week's fall.

The money markets also took the retail sales statistics calmly. The benchmark three-month interbank lending rate was 1/16 of a point firmer, suggesting no change to base rate.

Some City economists attributed the surge in retail spending to widespread storm damage, with an estimated £1 billion in insurance claims.

However, some identified a worrying buoyancy in consumer spending which suggested counter-inflation policies were not working fast enough.

Heseltine supporters blamed for speculation

By Robin Oakley, Nicholas Wood and Richard Ford

Senior members of the Government were yesterday blaming supporters of Mr Michael Heseltine for the damaging bout of speculation about Cabinet disintegration with the Prime Minister — although they did not point the finger directly at the backbencher.

Mr Heseltine was yesterday drafted into efforts to save the Mid-Staffordshire seat which Labour is threatening to capture in a major by-election upset. He was invited to join the campaign after weekend reports that he had been snubbed.

Ministers accept their for-

mer colleague's assertions that he has no intention of mounting any challenge to Mrs Thatcher and believe that he would not prosper personally by doing so. What is more,

Mid-Staffs campaign . . . 12

Woodrow Wyatt . . . 14

they are convinced that Mr Heseltine believes that too. However, it is argued that some of those who imagine they would gain if he were to become leader are not showing the same patience.

One senior figure said yesterday: "Continued on page 24, col 1

Students with the yen for an Oxford education

From Joe Joseph Tokyo



Crown Prince Naruhito: Setting the Oxford fashion.

Japanese students who want the cachet of having Oxford University on their CVs — the fashionable place to be ever since Emperor Akihito's sons began going there a few years ago — will no longer have to travel halfway round the world at the start of each term.

After more than a year of quiet negotiations, an outpost of St Catherine's College will open in the Japanese port city of Kobe next year — by September if all goes to plan. It will be Oxford University's first branch outside the Oxford city limits since it was formed around 800 years ago.

About 40 students graduating from Japanese universities will be accepted

annually for a one-year arts course, which will be taught by six tutors to be sent from Oxford. After finishing the course, the students can take up post-graduate studies at Oxford.

Some private American universities have set up branches in Japan, as much for cash as for kudos, but Oxford is likely to become the premier choice of Japanese students looking for an international accent to their university education because of its links to the Imperial family.

Like Burberry raincoats, Oxford has developed designer appeal for the Japanese. Crown Prince Naruhito, the heir to the throne, studied there, and his younger brother, Prince Aya, finishes his zoology course at Oxford this summer. It has become the preferred finishing

school of Japan's elite and filling the 40 places a year will not be difficult.

The idea was the brainchild of Professor Alan Taylor, a mathematician and St Catherine's don, who discussed the plan with Mr Sokichi Kametaka, Kobe Steel's President, when he was with an Oxford rugby team tour of Japan in 1988.

Kobe Steel has begun passing the bat round local business groups with the aim of raising the three billion yen (£12 million) budget needed.

The glory that will fall on Kobe from having Oxford at its doorstep means that the fund-raising will pose little problem. As an added bonus, the branch college will create a useful new source of rich alumni who will be able to contribute to Oxford's upkeep.

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NEWS ROUNDUP

Harrods evidence 'not admissible'

An attempt to calm Conservative backbench anger over the Government's refusal to act in the Harrods affair was launched yesterday (Nicholas Wood writes).

Sir Patrick Mayhew, Attorney General, told MPs that some of the evidence gathered by the Department of Trade and Industry inspectors in their damning report on the takeover would not have been admissible in court.

He agreed with a Conservative MP who said prosecution of the Al Fayed brothers would have ended in failure. Sir Patrick was replying to Mr Dennis Skinner, Labour MP for Bolton, who said millions asked why they should observe the law when "city crooks can get away with it".

Sir Patrick said that "whereas it was open to inspectors to take account of evidence that was hearsay, if they thought it reliable, and of course, open to them to reach the conclusion that they did, it would not have been open to a jury to have convicted people in a criminal case of the same character".

Parliament, page 12. Letters, page 15

Confusion over MP

Confusion surrounds the future of the Conservative backbencher, Sir John Stradling Thomas, who appeared yesterday to have announced his retirement and then said he had yet to make up his mind (Nigel Williamson writes).

Sir John, aged 64, was criticized after coming last in a table of MPs for questions asked in the House. He wrote to his Monmouth constituency party: "I do not wish my name to go forward for the ballot on re-election." He said last night, however, that he had made no decision. The local party was trying to select "a member they can manipulate".

Criminal files held up

Police forces are taking an average of 2½ months to inform the National Identification Bureau, which holds criminal records, of the results of court cases, MPs were told last night. The average time taken to inform the bureau of new prosecutions is now about 27 days, compared with 17 days in 1980; and the number of records still incomplete after 30 months is some 31,700.

Wallace claim denied

Sir Robin Butler, the Cabinet Secretary, firmly denied yesterday claims that he held private talks with other senior officials about the Colin Wallace affair before discussing the alleged 1970s propaganda campaign with ministers (Sheila Gunn writes). Sir Robin told the Commons Treasury and Civil Service committee that appointing a Civil Service Ombudsman would disrupt the relationship between ministers and civil servants and would destroy confidence.

Housing Act attacked

The Government's legislation for housing the homeless was criticized by a Lord Justice of Appeal in the High Court yesterday. Lord Justice Watkins said it needed to be clearly defined in Parliament what was meant when it was said that families had made themselves "intentionally homeless". He said the 1985 Housing Act "was unsatisfactory and disarming if only because it imposes almost intolerable burdens upon local authorities".

Badgers delay Toyota

Work on the £700 million car manufacturing plant being built for Toyota at Burnaston, Derbyshire, has been held up by a family of badgers. The badger set was found hidden in a copse of trees at the edge of the 280-acre site and naturalists had to be called in to tempt them to an alternative set before bulldozers could go ploughing in. Toyota is now confident its re-settling plan has worked and that extensive reworking of the site has been avoided.

Maze prison staff 'working for terrorists'

By Edward Gorman
Irish Affairs Correspondent

A senior prison officer at the top security Maze prison confirmed to a Belfast court yesterday that a number of his colleagues are working as informers for both Republican and "loyalist" terrorist organizations.

The officer, who has responsibility for security at the jail, said that he was alarmed by allegations that the prison was "riddled" with informers, though he would go some way in agreeing with them.

The officer, who was not named for security reasons, told Belfast Crown Court: "I wouldn't say 'littered with them'. I would say there are some bent screws in the Maze."

The admission came on the fifth

day of the trial of Mr Christopher John Hanna, a former principal officer in the H-blocks of the Maze, who denies 11 charges, including aiding and abetting in the murder of a colleague and passing information to the IRA.

Mr Hanna, aged 45, of Magheragall, near Lisburn, Co Antrim, also denies aiding and abetting in the attempted murder of the prison governor of a centre for young offenders near Belfast.

Earlier a junior prison officer who works as a cleaning warder at the Maze claimed that the prison was "littered with bent screws." The warder, a former friend of Mr Hanna, told Mr Justice Campbell that many prison officers were working for the paramilitary groups

on both sides of the community. He agreed with defence lawyers that he had told the police that the prison was "riddled with informers".

These were not "true officers" he said, as they were working for somebody else, "in the sense that they are working for para-military organizations".

The officer said that he had come to this conclusion from his own experience and from the fact that several warders had disappeared from the service under a cloud and had never been heard of again. "You just don't know who you are talking to, and I trust no one," he said.

The trial continues.

● The Royal Ulster Constabulary and the Ministry of Defence confirmed yesterday that a police

investigation is under way into allegations that a "loyalist" paramilitary group had infiltrated an Army base at Ballykelly, Co Londonderry.

A report in the *Guardian* newspaper yesterday, quoting a leaked confidential Government memorandum, said that "loyalist" groups had derived nearly £500,000 in fraudulent contracts for maintenance and building work at the base before October 1987.

The disclosures came in a secret document sent to MPs by Mr John Bourn, Comptroller and Auditor General, after an inquiry into fraud, corruption and mismanagement in the Property Services Agency, which manages all military bases.

The report said that members of

both the Ulster Defence Association and the Ulster Volunteer Force had been involved in infiltrating the camp and in inflating contracts worth millions of pounds for grass cutting, building maintenance and improvements. It was thought that the individuals may also have had access to security information, including maps and plans of buildings.

Mr Michael Mates, chairman of the Commons defence committee, said that the disclosures revealed a "serious case of irregularity". Speaking on the BBC, he said: "It is always embarrassing when the Government is ripped off. If this has been happening in Northern Ireland, it is doubly embarrassing because of the security implications."

BR is 'facing cash crisis', unless funds are increased

By Michael Dynes, Transport Correspondent

British Rail needs several hundred million pounds in increased government subsidy "just to keep its head above water", Major-General Lennox Napier, chairman of the Central Transport Consultative Committee, said yesterday.

The warning came after BR disclosed plans to withdraw peak-hour commuter services, defer investment and sacrifice quality targets in an attempt to ward off a financial crisis caused by falling passenger receipts and a declining government subsidy.

Thousands of rail passengers, who already "endure the daily degradation of travelling in grotesquely overcrowded trains", now face a further deterioration in services if the plans are implemented when new railway timetables take effect in May, General Napier said.

In what amounts to one of the most forthright indictments of government policy towards public transport by a statutory body, the committee called on the Government and BR to reassess their financial objectives.

The committee said that plans for a 30 per cent

reduction in the public service obligation grant, BR's annual government subsidy, were no longer realistic after the fall in demand for rail travel, the cost of last summer's strikes, and a lower-than-expected fare increase. The subsidy has already been cut by 50 per cent since 1983.

"So serious has BR's position become," the committee said, "that it is now planning service cuts to take effect from May, and is delaying many vital investment schemes to save money... bringing overcrowding to routes where it was previously unknown. British Rail is in trouble."

Network SouthEast will bear the brunt of the service cuts initially. These are likely to be exacerbated by BR's decision to abandon attempts to reduce overcrowding on commuter trains.

Challenging the subsidy reduction policy pursued by Mr Cecil Parkinson, Secretary of State for Transport, the committee said: "Government should be providing more investment through grants rather than loans in recognition of the railway's role in relieving traffic congestion."

In the footsteps of Laurence Olivier



Nominees for the Laurence Olivier Awards at luncheon yesterday when *Miss Saigon*, right, Philippines-born star of *Miss Saigon*, was nominated for outstanding performance of the year by an actress in a musical. Others nominated include Elaine Page, for *Anything Goes*, and Ian McKellen, for actor of the year in the RSC's *Othello*. Winners will be named on April 8.

Hatton's gym plans 'drawn by city staff'

The chief architect of Liverpool City Council made a private job for Mr Derek Hatton top priority in his department, an industrial tribunal was told yesterday.

Mr James Robb, the city architect, was asked by Mr Hatton in March 1983 to work on plans for an extension to his local Labour club.

Mr Hatton, then an opposition Labour councillor, became the council's deputy leader when Labour won control in May 1983.

The tribunal was told that when Mr Hatton was in office, work on plans for a gym at the Woolton Labour Club, in Netherley, Liverpool, went into full swing in Mr Robb's department.

Mr Robb was dismissed from his £28,000-a-year job in February 1988 after an inquiry into his conduct.

He is claiming unfair dismissal at a tribunal in Liverpool.

Mr David Harris, QC, for the council, said Mr Robb had several staff working on the club plans.

He said: "In May 1983 Mr Robb asked Mr David Ormond, an architectural technician to work on the plans."

"There is no doubt that Mr Ormond did a substantial amount of work on the plans during office time."

In a statement to the tribunal Mr Ormond said: "This job was given top priority - it was 'Drop everything else and get it done'."

Mr Mike Reddington, former chief executive of the council, told the tribunal: "On the time sheet, work on the Labour club project was put down as administrative."

Mr Timothy King, for Mr Robb, said he felt under pressure from Mr Hatton and Mr Tony Byrne, finance committee chairman.

Three schemes for sports facilities in Netherley had been under council consideration. In the end, the gym had not been built.

The hearing continues.

Wave power research

Prototype project set up in Scotland

By Kerry Gill

The first wave power station in Britain is to begin operating later this year on the south-west coast of Islay and is expected to show that wave action can generate electricity as cheaply as hydro-electric power.

The prototype power station, less than half a mile from Portmahaven, on the Rinn of Islay, Strathclyde, is the result of a programme, supported by the Department of Energy, to demonstrate shoreline wave power techniques.

Dr Trevor Whittaker, manager of the Wave Energy Group at Queen's University, Belfast, said yesterday the little power station would provide a test-bed for components, enabling the development of larger installations that would be able to feed the national grid.

Dr Whittaker will demonstrate the effectiveness of wave power to the Institution of Engineers and Shipbuilders in Scotland tonight.

Eventually it is envisaged that wave power stations will be built offshore.

The Islay station, to begin production in August, should be able to provide enough electricity for a small village, although with five advanced units producing one megawatt each, there could be ample power to provide the needs of an island of 4,000 people.

Dr Whittaker's team has

copied the natural process of wave action in a coastal cave. The fall and rise of the water causes a piston effect, driving air through fissures in the cave roof.

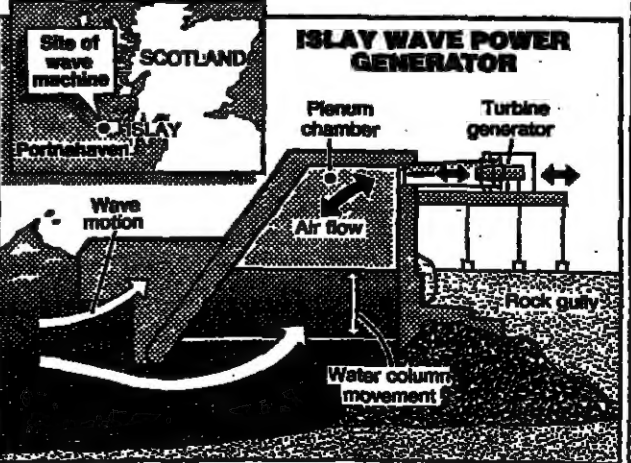
They selected a gully near Portmahaven and, after building a scale model, had a concrete chamber spanning the gully built. The oscillating waves in the chamber force the air through a turbine generator, which is then converted into electricity.

The novelty of the design, Dr Whittaker said, lies in the Wells turbine, named after its inventor, which rotates in one direction only.

The consulting engineers, Kirk McClure Morton, designed the concrete structure to withstand the huge wave loads, estimated to be as high as 40 tonnes a square meter on the front wall.

Although the cost of wave energy is still relatively high, Dr Whittaker said the Islay station was expected to produce energy at an initial cost of between six and seven pence per kilowatt hour: a price attractive to island communities.

Soon bigger multiple-unit systems could provide between 500 and 1,000 kilowatts and, eventually, shoreline wave energy would achieve a much bigger market at a similar cost to hydro-electric plants.



Species of deer may be at risk from BSE

By Ruth Gledhill and Michael Hornsby

Some species of deer may be at risk from the brain disease that has wiped out more than 10,000 cattle since 1986, zoological experts have said.

The five cases of spongiform encephalopathy that have been confirmed in captive antelope represent a "high incidence" in view of the relatively small numbers of these species kept in Britain, according to the National Federation of Zoological Gardens.

The federation has warned its members that the disease might be transmissible to a "wide range of species" but said animals in the cattle, goat and antelope families "are certainly at risk".

Deer may also be at risk because a spongiform encephalopathy causing chronic wasting in male deer, elk and black-tailed deer has been reported in North America.

The federation added: "The pattern of the disease in cattle suggests that infection has occurred via the food, but the possibility of spread from one individual to another, especially from dam to offspring, cannot yet be ruled out."

The first zoo victim of the disease was a roe deer at Marwell Zoo, near Winchester, in 1986, the same year in which bovine spongiform encephalopathy was first identified in British cattle. A year later a ginsbok died in the same zoo. Other animals have died at London Zoo and at Port Lympne Zoo, near Hythe, Kent.

Mr John Knowles, director of Marwell, said last night: "We are fairly sure the infection came in via animal protein from sheep's offal."

"In the case of both species we still have the parents and further offspring and we have seen no sign of the problem in them. While I cannot say we are very relaxed, we do not go in great fear of it recurring."

● The Veterinary Medicines Directorate will have the Central Veterinary Laboratory at Weybridge, Surrey, are not to be privatized as reported on February 27. They will continue to be part of the Ministry of Agriculture, Fisheries and Food.

Community charge crusader

Mushrooming of a peaceful protest

By Ray Clancy

What began as one man's crusade against the poll tax yesterday mushroomed into a people's campaign, which has dissociated itself from the recent violent demonstrations outside town halls.

Mr Ray Cornforth, aged 49, a self-employed engineer, of Calstock, Cornwall, has joined others across the country disgusted by the way left-wing groups have attempted to take over anti-poll tax meetings.

He is determined to set up a national network run along the same lines as People Against the Poll Tax (PAPT), a group he is already running in Cornwall. He has linked up with groups in Berkshire, Somerset and Dorset.

"We need to combine nationally to form an effective voice. We are just ordinary people," he said.

In contrast to the violence outside some town halls, PAPT believes in peaceful protest. It has produced a one-

hour video with interviews from people opposed to the charge, including a blind man, the disabled and the elderly, filmed during a march in Plymouth this month.

The video will be delivered to Downing Street with a 50,000-signature petition on March 23. It begins with a personal message from Mr Cornforth telling Mrs Thatcher that people are disillusioned with her attitude to the

poll tax. A newsletter, now circulating all over the country, is produced on the computer Mr Cornforth keeps in his bedroom. T-shirts, car stickers and posters are also being distributed and Mr Cornforth has been giving advice to others on how to set up an anti-poll tax group.

The most radical part of the operation has been a list of ways to delay paying the charge such as sending unsigned cheques in the post or forgetting to date them.

Mr Cornforth was spurred into action by his belief that the poll tax is unfair to the majority of people, and he is particularly concerned about the elderly and disabled. "The only way to defeat the poll tax is if the voice of the majority is heard. It is clear there is a genuine body of people who don't want to be associated with violence but are against the poll tax," Mr Cornforth said.

"If we can co-ordinate the immense feeling against the

charge then it can be defeated. This is the one single issue since the last war that has united people."

● Although almost every council in the country has now set its community charge, demonstrations and protests are continuing. Extra police were on duty in Hackney, east London, last night for a rally in the town hall organized by the Hackney Anti-Poll Tax Federation. Last week a running battle broke out between demonstrators and police outside the town hall when councillors met to decide the poll tax.

Councillors in Islington, north London, met last night to set a charge. Only two other councils have not decided on figures. Lambeth and Liverpool are trying to extract extra money from the Government before setting a charge.

● Seven students were arrested at an anti-poll tax meeting in Middlesbrough yesterday.

asking them to register their disgust with the new charge and to follow Morecambe's example.

"If they see their grassroots support is prepared to register such strong protest, perhaps that will make the party think twice," Mr Lester, a Conservative club member for 37 years, said.

The Conservative Association said that Morecambe's charge was so high because the Labour-controlled Lancashire county council had increased spending by 32 per cent.

to explain how people are going to be able to pay it. So far he has not been able to give an answer."

Mr Lester, who retired from the local authority five years ago because of ill health, said his payments would rise from £275 a year for the one-bedroom flat where he and his wife live, to £708.

"The average rise as we understand it is £500 a year. How can people find that extra?"

The Morecambe rebels are contacting other Conservative clubs in the North-west region.

Poll tax takes a clubbing in Morecambe

By Ronald Faux

Politics never dominated the Morecambe Conservative Club until the poll tax came along.

The 500 members were happy to socialize, pay £1 a year to the Morecambe and Lunesdale Conservative Association and allow their club premises to be used for Conservative fund-raising functions. Beyond that the club was a venue for darts, bowls, snooker and a quiet acceptance that voting Tory was heading in the right direction.

That will all change after facilities for the political arena

are withdrawn as members make the strongest protest they can think of against the tax (they refrain from following the party line and calling it the community charge).

Last night the committee met to ratify the decision to withdraw financial support and the club's recreational facilities from the association.

Mr Arthur Lester, aged 63, said: "We do not expect to have any doubters. There is overwhelming agreement that this tax is unjust and penal."

"We have challenged our MP, Mr Mark Lennex-Boyd,

What happens to someone who doesn't pay his poll tax bill?

By David Walker

Public Administration Correspondent

Employer organizations are concerned at the burden of collecting the community charge and several groups are worried about how it will be paid. Here are the answers to some of the common questions:

Q When will I get my poll tax demand?

A By law, councils should send out demands to each individual listed on the register "as soon as practicable" after they have set the 1990-91 charge. Some councils are already sending out demands; others may not ask do so until next month. All poll tax payers can pay by instalments.

Q Will the council remind me?

A By law, the council has to send out a reminder notice. It is up to the council when it starts chasing non-payers. In Scotland, last year, few reminders were sent out before mid to late May.

Q What if I don't pay?

A The council might apply to a magistrate's court for a summons requiring you to appear. Or it could go straight for a liability order. This will include the outstanding poll tax plus the council's legal and other expenses. A single liability order could name more than one person, for example spouses or other household members.

After receiving a liability order, you

become a debtor, obliged by law to tell the council of earnings and your employer's address, among other things. Failure to do so could lead to a fine.

Q How will I be forced to pay?

A Once the council has a liability order it can make an attachment of earnings order. This is sent to employers, instructing them to make deductions from earnings, including 1 per cent deduction to cover the employer's administrative expenses.

Q What if I am self-employed, or unemployed?

A The council can legally claim goods to the value of the debt. At any point up to the sale, you can redeem possessions by paying

the outstanding tax. Distress (usually carried out by specialist bailiffs) can only be carried out, however, in England and Wales. Bailiffs will take goods whose value will cover their expenses.

Q What if the bailiffs can not get sufficient goods?

A If bailiffs fail to seize sufficient property to pay the debt, the council can apply to a magistrates' court for a warrant committing the debtor to prison. The court, after questioning the non-payer, will issue the warrant if it thinks failure to pay was "wilful" or due to "culpable neglect". The maximum sentence is three months. The sentence will be out if payment is made.

Q What else can the council do?

A It can put a charge against your house, preventing it being sold without the council getting its money. If you die during legal proceedings, the council can exact payment from your estate.

Q Can husbands or wives be imprisoned for their spouse's debts?

A Possibly. Liability orders can only be made against the head of the household but not against a dependent spouse alone. In other words, partners would also have to be conscious non-payers before they broke the law. Where spouses are also non-payers, they can have their goods distrained and can also be sent to prison.

CORRECTION

The Veterinary Medicines Directorate will have the Central Veterinary Laboratory at Weybridge, Surrey, are not to be privatized as reported on February 27. They will continue to be part of the Ministry of Agriculture, Fisheries and Food.

Health Department investigating 'bizarre and often violent ceremonies'

NSPCC says ritual child abuse rife

Harrowing cases detailed in report by society

By Libby Jukes

The ritualistic abuse of children in bizarre and often violent ceremonies is under investigation by the Department of Health, Mr Christopher Brown, director of the National Society for the Prevention of Cruelty to Children, said yesterday.

The abuse, involving boys and girls often as young as five, included the use of masks, drinking blood, and submitting them to sadistic and pornographic material.

There were also stories of mutilation, animal and even human sacrifices.

One of the most serious difficulties faced by staff investigating ritualistic abuse was the tendency of other adults to dismiss the children's stories as incredible.

Staff expressed concern for their own safety in the face of highly secretive and well-organized groups of abusers. On one occasion, staff were threatened. Faced with mounting evidence of such abuse, the society instigated a meeting at the end of last year between government officials and child care agencies, social workers, church representatives and police.

"Our own internal research gave us very great cause for concern," Mr Brown said. "We knew that other concerned groups had similar reports and thought it was time we brought together all our findings to build up a picture of the type of behaviour that is

going on and the extent of the problem."

A survey of the 66 child protection teams in England, Wales and Northern Ireland found that 14 teams had received reports of ritual abuse from children and seven of them were working directly with children who had been ritually abused, sometimes in groups of 20.

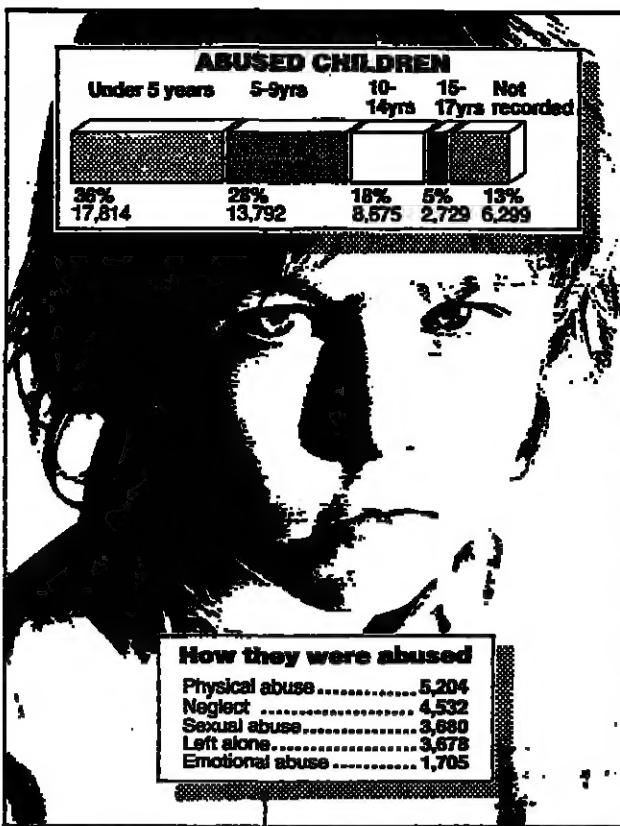
Mr Jim Harding, director of child care services, said that the society was increasingly concerned by sex rings and was aware of at least six such networks, each involving up to a dozen children.

"This is a very difficult area in which to achieve a criminal conviction," he said. "But we are working closely with the police and look forward to the implementation of the Children Act in 1991, which takes children seriously and puts them at the heart of the legal process rather than at the periphery."

Presenting the society's annual report, Mr Brown said that the year ending September 1989, in which its income rose 33 per cent to £26 million, had seen record activity for the society.

Some 54,000 children were helped, 12.5 per cent more than in the previous year. The society saw over 5,000 cases of physical abuse, 4,500 of neglect and 3,600 of sexual abuse.

Forty-three per cent of cases were reported by members of the public but 30 per cent had



come from anxious parents or relatives. Only 2 per cent were reported by the children.

Mr James Harding, NSPCC director of child care services, said: "Fear and intimidation are often part of the abuse children suffer. I acknowledge that we only know about the tip of the iceberg."

Superintendent Leslie Bennett, head of the new Child

as The Netherlands, Denmark, Sweden, Thailand and Japan.

The squad was set up last November within Scotland Yard's TO13, the Obscene Publications Squad, and was intended to collate information on convicted men, suspects and their associates throughout the country, providing a national index of child molesters and pornographers. One aim of the index, which now includes some 3,000 names, is to prevent known or suspected paedophiles from getting jobs involving children.

In 1985, TO13 carried out five investigations into child pornography. Search warrants are now issued on weekly basis. Six officers now staff the paedophilia desk full-time, working closely with more than 30 child protection teams throughout the Metropolitan Police.

With a 10-minute video costing up to £200, child pornography is a lucrative business and over the past three years it has become the main target of the Obscene Publications Squad.

Although Britain is the only country in Europe in which it is an offence to possess an obscene photograph of a person under 16, the police are frustrated by their lack of powers to arrest and detain suspects.

At present, a maximum sentence of three years in jail applies to both child and adult

pornography. Under the terms of the Police and Criminal Evidence Act, defendants liable to anything less than a five-year prison sentence cannot be held in custody pending either their first court appearance or an appeal against conviction. Yet paedophiles are the most frequent re-offenders in the criminal justice system.

Police investigations into close-knit child sex rings frequently demand co-operation between several forces.

A recent case covered addresses in Brixton, Leicester and Merseyside, leading to one conviction and prison sentence. Scotland Yard admit that the detection of such rings has become considerably more difficult since the Paedophile Information Exchange was broken up five years ago.

"These cells are extremely difficult to penetrate," Mr Bennett said. "The typical paedophile is not an opportunist. He is white, aged between 30 and 55, middle to upper class, and often involved with children in education or as a volunteer."

According to Mr Bennett, some men attending a paedophile clinic admitted to abusing between 75 and 80 children for each one for which they were caught. "Because the offences are committed in private and the victims are usually too afraid to speak out, it is in many ways the perfect crime," he said.

The NSPCC annual report details a number of harrowing individual cases of abuse.

● "Karen Jones", aged seven, was sexually abused by her father, with her 10-year-old brother copying his example. She complained to her teacher, and the NSPCC arranged for her to demonstrate the abuse in the presence of a police-woman, using anatomically correct dolls.

Although her father denied the allegations and a prosecution failed for lack of evidence, both children were placed with foster parents.

● The mother of "Darren Lawton" reported to the NSPCC that her son, aged nine, was often beaten by his father, from whom she was separated. A child protection officer found that Darren and his younger sister "Allison", aged five, were covered in bruises and cuts.

Darren said his father had forced him to eat chilli powder, and rubbed salt into his wounds. That affected the behaviour of both children, who became temperamental and withdrawn.

It also emerged that their mother had taken part in the abuse. Brother and sister are now in local authority care.

● "Debbie", aged 22, mother of a three-year-old girl, started playing truant from school at

the age of 15. A friend told her of a place where she could watch pornographic video-films.

Debbie was offered £20 for sex by the man living there, and when she refused she was dragged and raped. Over the next six months she was sexually abused by 14 other men who visited the house, and witnessed many assaults on other children of both sexes.

Years later Debbie talked about her experiences and admitted she physically abused her own daughter. She said the sex ring in which she had been involved still operated from the same address, but feared she and her daughter would be harmed if she gave evidence to the police.

● "Tony", aged 10, the youngest of four children, received little attention from his separated parents. While playing football in the local park, he was approached by a stranger, asked if he liked computers, and invited back to the man's house to play computer games.

There he was shown a pornographic video-film, and persuaded to take part in sexual acts. Although Tony's statement to the police was corroborated by stories from other children, he later retracted his information and refused to talk about his experiences.

The Guinness trial

Chairman 'bought 100,000 shares before record bid'

By Paul Wilkinson

Lord Iveagh, president of the Guinness group, admitted yesterday that he bought 100,000 shares in his company three days before it made a record £2.7 billion bid for the Distillers group.

However, Lord Iveagh denied insider dealing. He told Southwark Crown Court, south London, he believed the bid was not going ahead.

Lord Iveagh, who was non-executive chairman when the takeover bid was made in 1986, told the Guinness trial that he was embarrassed about the purchase and had made a statement declaring it to the company secretary and to the stock market authorities.

He told the jury that Ernest Saunders, his chief executive, had informed him of the intended bid on January 13, 1986. However, three days later, a message had been left with the housekeeper at his home at Phoenix Park, Dublin, that the bid was off because of problems over cost.

The next day, January 17, he ordered the share purchase and on January 20 the bid was made public.

Mr Saunders, Mr Gerald Ronson, chairman of Heron International, Mr Anthony Farnes, a City stockbroker, and Sir Jack Lyons, the financier, face a total of 24 charges of theft, false accounting and breaches of the Companies Act arising out of the Distillers takeover. All deny the charges.

Cross-examined by Mr Richard Ferguson, QC, for Mr Saunders, Lord Iveagh agreed that he had met Mr Saunders in London on January 17, the day he bought the shares. Mr Ferguson asked him: "Would you have not been ago to know if the bid was still on?"

Lord Iveagh: "Yes." Mr Ferguson: "It would look as if you had purchased shares at a time when there was about to be market activity." Lord Iveagh: "If you are suggesting insider dealing, I can assure you that was not the case."

Later, Lord Iveagh said: "I felt embarrassed because I had purchased shares and three days later the company made a bid for Distillers. It could be thought I had inside information, which was not the case."

Lord Iveagh accused Mr Saunders of "keeping him in the dark" during the takeover. He said: "I was rarely if ever consulted. I found it a grave embarrassment."

"I knew Mr Saunders was very busy, in touch with institutions. I left messages, 'please to call me to be kept in the picture'. Otherwise, I was kept pretty well in the dark and what information I got was probably from other people in the company."

"I heard extremely rarely, if anything, from Mr Saunders," Lord Iveagh said.

He said that in January 1987, after the Department of

Trade and Industry began its investigation, Mr Saunders visited him for the weekend at his home in Dublin.

"He told me he wished to tell me all. In the event, he told me remarkably little. He told me nothing about revealing all and in fact most of the time he spent on the telephone frantically telephoning to people," Lord Iveagh said.

He agreed with Mr Ferguson that he had made no formal complaint about Mr Saunders' conduct until after the department investigation began.

Mr Ferguson: "Why did you not raise this complaint, if indeed it was a genuine complaint, at any other time?" Lord Iveagh: "I raised it in conversation, that he could keep me better informed. I didn't raise it at a board meeting."

Mr Ferguson: "Why not?" Lord Iveagh: "I didn't want to disrupt the board. I felt it was a personal matter between Mr Saunders and myself."

"Mr Saunders was doing a good job for the company. It was a matter between ourselves," Mr Ferguson: "As

long as things were going well you were content, but once there was a whiff of scandal and once Mr Saunders' name was put forward as the person responsible, you changed."

Lord Iveagh: "No sir. The Distillers bid was the most vital operation the company had undertaken and I was not kept properly informed, but I did not want to rock the boat and I knew Mr Saunders was extremely busy."

Mr Ferguson continued: "The reason you didn't raise it was because you had no such complaint. Why did you not raise it before the DTI investigation began?"

Lord Iveagh: "It was a matter between ourselves." Mr Ferguson: "Far from complaining about Mr Saunders, in fact, on a number of occasions, you praised him."

Lord Iveagh: "Indeed sir." He agreed he had reported to the board that Mr Saunders had revitalized the company and had discussed rewarding him. That included buying a house in New York for his personal use.

Lord Iveagh also said that Mr Saunders had pressed him to step down as chairman so that Mr Saunders could take the post. Mr Saunders had suggested that he would avoid "the hassle" that went with the position and that he could be president, which his son, in turn, would become.

The trial continues today.

PORTFOLIO

There were no valid claims in yesterday's £2,000 Portfolio Platinum competition, so today's prize money is doled out to £4,000.

Wordsworth's muse lives on

PETER TRIVNOR



William Wordsworth at the National Portrait Gallery proves inspirational for Grant Neal, aged 14, and Sarah Thompson, aged 15, of Bexley Heath School. London school pupils are composing works about portraits, to be performed at the gallery on April 5, for their GCSE.

Probation for nurse who killed children

By Mark Souster

A nurse who killed her two children with a lethal injection was put on probation for three years yesterday. The father of the children described the sentence as a "total travesty".

Helen Jones, aged 31, was said to be suffering from a "serious depressive illness" when she killed her son Daniel, aged seven, and daughter Susanne, aged five, last July.

Jones, of Allid Street, Great Moor, Stockport, Greater Manchester, pleaded guilty to manslaughter on the ground of diminished responsibility at Manchester Crown Court.

She was put on probation on condition that she attends a psychiatric hospital.

Jones sat impassively between two psychiatric nurses throughout the hearing. After the sentence was passed, she was returned to the secure mental hospital unit where she has spent the past eight months.

Mr Martin Jones, a mortgage consultant and father of the two children, said later that he would be launching a campaign to restrict the availability of lethal drugs.

His father, Mr Anthony Jones, said: "She is an evil monster. She should be in prison."

Mr Rodney Klevan, QC, for the prosecution, told the court that Jones had stolen a quantity of thiopentone, a barbiturate injected intravenously, a syringe and three needles from the operating theatre at Stopping Hill Hospital, Stockport, where she worked.

On July 24, Mr Klevan said, Jones "washed and dressed the two children, then she injected both with lethal doses of thiopentone".

She then took tranquillizers and alcohol, injected herself with some thiopentone and cut her left wrist with a kitchen knife.

In a suicide note, Jones told her parents she could not cope and felt she could not leave the children.

"They are the most important things in my life and I could not go without them. They did not suffer. I put them to sleep."

At the time of the killings Jones was living with Mr William McDowell.

He found the children's bodies and Jones unconscious in her bed when he returned from work.

After Mr McDowell left for work on July 24, Jones carried out "her normal domestic duties", Mr Klevan said.

He told the court that psychiatrists who examined Jones were satisfied that she was suffering from a "disease of the mind" at the time of the killings.

Mr Klevan said all the evidence showed she was "an immensely proud, doting and competent mother". Her marriage, however, did not work and in 1986 she left with the children.

She went to live with Mr McDowell, Mr Klevan said, and her relationship with the children continued to be "warm, loving and apparently quite normal".

Family, friends and hospital colleagues saw no sign of her deep depression.

Cat wins backing in courtroom dogfight

By Ruth Gledhill

The good name of Smokey, a fluffy, grey cat, remained untarnished yesterday after a courtroom drama in which she was accused of savagely attacking a dog.

Mr Mark Castley, a sports promoter, took the cat's owner to court claiming that his dog, Sheba, a collie-falador cross, was left in agony after being ambushed by Smokey.

He alleged that the cat had almost ripped off the dog's paw before fleeing without a scratch herself, and claimed about £350 in veterinary fees plus costs at Aldershot and Farnham County Court, in Surrey.

Mr Castley has been notified by post that he has lost his case. He plans to appeal on a point of law today.

Mr Castley, aged 26, said: "It is a question of whether, under English law, the owner has liability for the actions of his cat. Because it happened to a dog and, normally, dogs chase cats, people are treating it as a bit of a joke."

"If I win I will give the money to charity. It is not about the money."

He said that the cat had

shot out of the bushes and "ripped into" Sheba.

He said: "She was screaming and terrified. Her paw was ripped off and there was blood everywhere. Her screams were so loud that all the neighbours came out."

His dog was now missing a toe on a back paw.

Smokey's owner, Mr David Goldsworthy, aged 29, of Wey Close, Camberley, Surrey, said: "There is no way Smokey could have done it. She has no history of attacking dogs or of any violence."

She was "extremely timid and frightened of loud noises". Mr Goldsworthy, a salesman, added: "I was accused of harbouring a dangerous animal. It was a joke."

He said: "Cats only go for dogs if they are cornered. And they attack the eyes and face, not the back paw."

He believes that two dogs went for the cat and one dog accidentally bit the other.

He said: "The cat came ambulating through our back door soon afterwards and there was no sign of a fight, her fur was not ruffled and there was no blood on her."

Police sergeant is jailed for seven years for rape in cell

By Craig Seton

A police sergeant was jailed for seven years by Shrewsbury Crown Court yesterday after being found guilty of rape in a cell at a police station where he was custody officer.

Sergeant Dennis Davies, aged 46, of the West Mercia police, put his head in his hands and wept as the jury returned its verdict after four hours at the end of a week-long trial. Earlier, it had found him guilty of indecent assault.

The court was told that Davies, a police officer for 25 years with two commendations, raped a church-going spinster, aged 47, at Wellington police station, near Telford, Shropshire, after she had been arrested for drink-driving in October 1988.

The woman had drunk a third of a bottle of gin because it was the anniversary of her nephew's death in a car crash.

The court was told that the West Mercia police had a strict policy that no male officer was allowed alone in a cell holding a woman. Davies had entered the cell, stroked the woman's hair and kissed her. The woman said that she

had gone to sleep and woke to find Davies raping her. She had kicked out and he had left.

Davies, of Leegomery, Telford, who has been married twice, denied rape and indecent assault. He admitted entering the woman's cell alone, but claimed that nothing improper took place.

Before sentencing Davies, Mr Justice Jupp told the jury that the victim "was by no means without experience of sexual intercourse".

He told Davies that there were mitigating circumstances. There had been no violence and the victim had raised no objection to the officer stroking her hair and kissing her. That behaviour could have led him to believe she would consent to sex.

The judge said the incident had lasted only a minute and Davies had desisted when the woman kicked out at him.

But he said Davies was a police officer, not a member of the public. "The woman was drunk, she was in your custody, you were responsible for her, you took advantage of her condition and these are

aggravating circumstances of a most serious kind."

"They make it necessary in spite of your excellent character hitherto, with commendations from the chief constable and the fact that you have inflicted this punishment on yourself, losing your police career and wrecking your life, to pass a sentence of seven years imprisonment," Davies was sentenced to 21 months' imprisonment for indecent assault, to run concurrently.

The court was told the woman had been released after the rape. When she returned to the station later and made a complaint, a probationary woman police constable told her: "If I were you, I would go home and have a shower and forget about it."

The woman made her complaint a month later after going to a rape crisis centre.

The West Mercia police said Davies would be dismissed. Det Supt Allan Poulton, who led the inquiry, said: "The public have a right to expect a high standard of behaviour from officers. Heaven forbid if it ever goes the other way."

Van Gogh portrait could fetch £20m

A Vincent Van Gogh self-portrait, featuring the famous tortured face in harsh brush strokes with a yellow jacket and a vivid green background, is expected to fetch up to £20 million at auction in May.

The painting will offer strong competition to Van Gogh's portrait of Paul-Ferdinand Cachet, a homeopathic doctor friend, also on offer at Christie's New York on May 15. Both are estimated at \$30 million. The self-portrait is one of the rare works signed by the artist.

Christie's expects to break the record for Henri de Toulouse-Lautrec, with "Fille à la Fourrure, Mademoiselle Jeanne Fontaine", a portrait in semi-profile of a well-known "denizen of Lautrec's demi-monde", as a spokesman put it, estimated at £10 million.

A splendid memorial figure of a royal wife, acquired in Bangwa (now The Cameroons) by Gustav Courau, the explorer, is expected to fetch \$1.8 million (£1.1 million) at Sotheby's on April 20.

The Duchess of Gloucester hopes to raise £750 on March 21 from selling a shawl and handkerchief that belonged to

Queen Victoria. The late 19th-century triangle of Irish lace, decorated with flower patterns, is estimated at £600 and the lawn handkerchief, with the Royal Crown and border of Valenciennes lace at £150.

A Meissen tea and coffee service painted with landscape vignettes in purple, and a number of its pieces cracked or chipped, fetched top price during the morning session of

SALEROOM
by Sarah Jane Checkland
Art Market
Correspondent

Christie's Continental Ceramics sale. It sold for £12,100 (within estimate) to a London dealer. A Naples figure of a jaunty lady dressed as an Oriental in a plumed hat tripled its estimate at £7,700.

Italian istoriato ware, or plates which tell a story by pictorial means, fetched the predicted high prices.

An Urbino example, showing Alexander the Great winning the battle of Issus, doubled its estimate at £41,800.

The story of a man who trained to be a priest.

Then acted like a god.

At the age of nineteen, Josef Djughashvili fulfilled his mother's wishes and joined a seminary in the Georgian town of Tbilisi.

What his mother hadn't foreseen, however, was that his seminary was a hotbed of revolutionary politics.

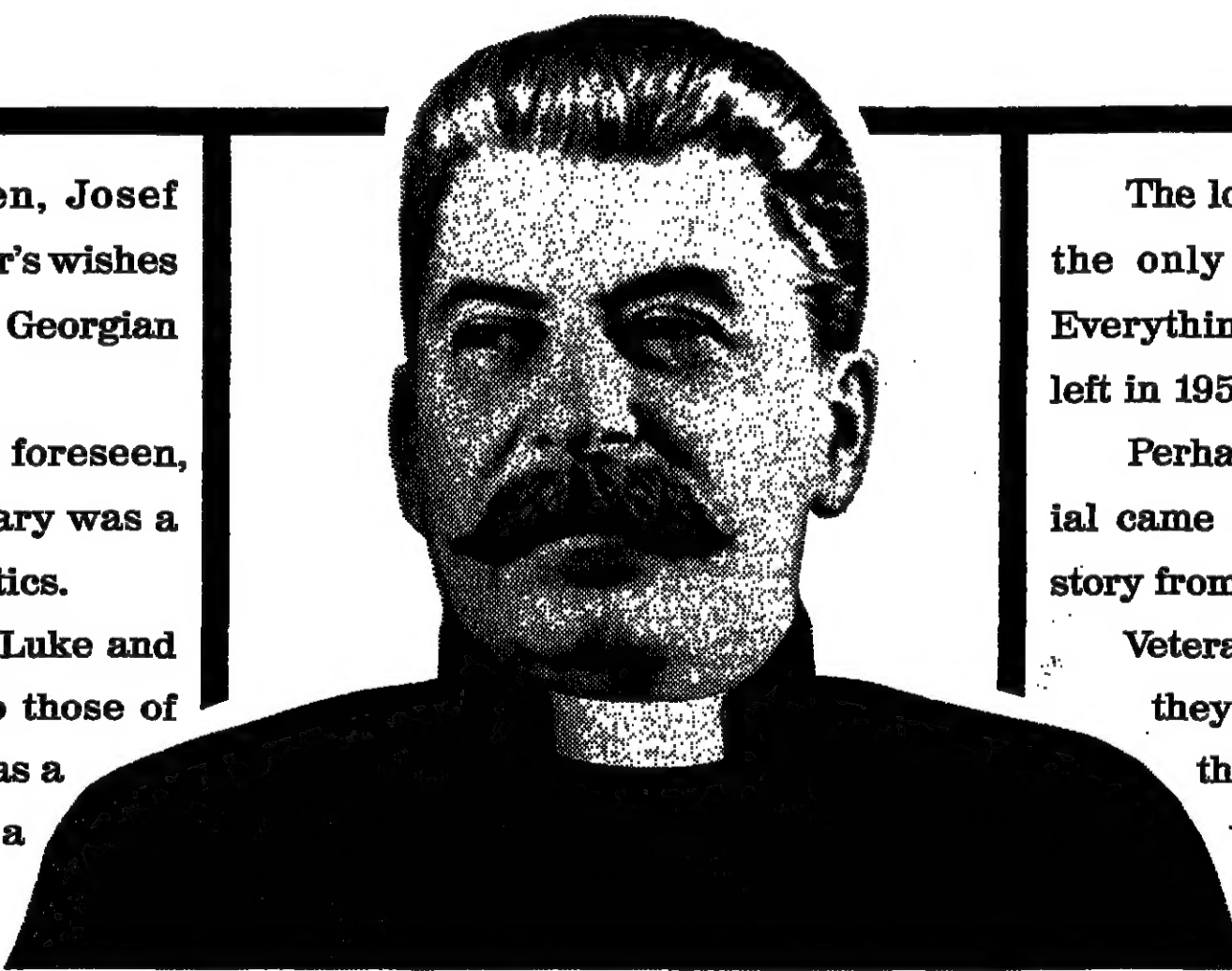
With the works of Mark, Luke and John taking second place to those of Marx, Lenin and Darwin, it was a far from ideal introduction to a life of piety.

Instead, Josef assumed the name Stalin, meaning literally "Man of Steel" and embarked on a life of political agitation, culminating in his ascendance to leader of the nation.

The abuse of power that followed is something that Russians are still trying to come to terms with today.

As he assumed a god-like name and a god-like status, so his bullying and brutality took on mythological proportions.

His story is full of surprising, saddening and almost unbelievable facts. Many of which were uncovered for the



first time while making our new documentary series on Stalin.

It's a series in three parts which took us three years to make and left no skeleton unrattled.

With the KGB's consent, Thames researcher Adrian Wood sat through over a million feet of archive footage. Most of it had never before been viewed by western eyes. We were also the first westerners to visit Yarudei and Karer-naya: two deserted prison camps along the notorious "Section 501" of the arctic railway system.

The locations were so isolated that the only access was by helicopter. Everything was the way it had been left in 1953. What we saw, we filmed.

Perhaps the most compelling material came from those who tell Stalin's story from first hand experience.

Veteran prison guards told us what they thought of conditions inside the camps. As did the prisoners who had to endure them.

Even Svetlana Stalin told us what it feels like to be the daughter of a man who murdered over 20 million people.

As you'll see tonight, the evidence we've collected is extremely powerful.

But be warned, it's enough to test your faith.

"STALIN"
STARTS
TONIGHT
10.35 pm.

THAMES. A TALENT FOR TELEVISION.

Macka
women

Study aims

Security
fight
theft

GP

Injury

New

Stewart

Read

File

Porn

The Times talks to the Lord Chancellor

Mackay presses for more women and black judges

By Frances Gibb, Legal Affairs Correspondent

Lord Mackay of Clashfern, Lord Chancellor, is urging women and members of ethnic minorities to qualify themselves for appointment as judges.

"I am very anxious to see more women judges and more people from the ethnic minorities on the bench."

"I would encourage people of both sexes and from all parts of the country to seek to qualify themselves for filling these positions," he said.

In a wide-ranging interview Lord Mackay also:

- reaffirmed that his legal reforms would broaden access to justice and said the £500 million a year legal aid scheme should continue to be demanded;
- backed a "cab-rank" rule for all advocates given a right of audience in the higher courts under his reforms;
- re-affirmed the importance of the lay

ments and this will widen the base from which judges are drawn.

But Lord Mackay rejected the case for a judicial committee or commission on appointments to the bench. The ultimate responsibility of recommending for appointment should remain with him.

As the pool of judicial candidates widened, he would consider "in the light of the way the system is working" if in future there was any need for some kind of advisory committee to put forward names of candidates to him.

There should not be change for the sake of it. "The standards of judges is very high. They are highly competent, with a high standard of commitment."

On his legal reforms, Lord Mackay said that despite amendments achieved in the Lords, these would still deliver the aims of developing "new ways of

providing legal services" and of improving existing services, "with due regard for the proper and efficient administration of justice."

He did not believe senior judges would or could unreasonably block solicitors from exercising advocacy rights in the higher courts. The senior judges — who will have to approve the new rules for the exercise of advocacy rights — had a role in ensuring proper standards of competence and conduct in the future, Lord Mackay said. "I believe they will exercise that role appropriately."

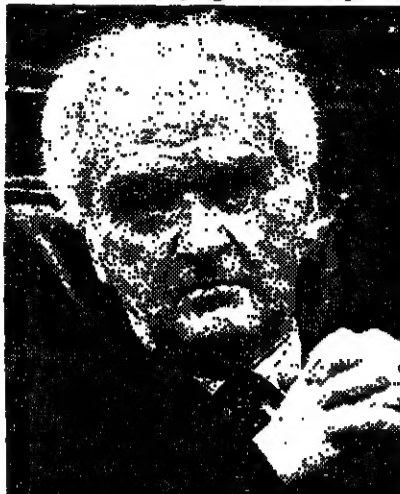
If restrictions were needed to ensure a particular standard of competence and conduct, these would be appropriate. The machinery devised to draw up the new rules would, "properly operated, produce the results appropriate as changes and requirements develop."

Lord Mackay also reaffirmed the importance of the lay majority on the advisory committee which, under the machinery, will advise on the rules needed for advocates. These were "the people for whom legal services are being provided."

On the controversial question of the cab rank rule, over which the Government was defeated in the Lords, Lord Mackay said in his view this was a rule and not a general principle, and for that reason he had opposed its inclusion in his Courts and Legal Services Bill.

But he did not oppose the rule as such. "Some rule which required a person who had a right of audience in the superior courts, to have some responsibility to give his services, is something which seems to me eminently justifiable."

The whole purpose of the Bill, he added, was to secure access to justice. He hoped the framework would give solicitors the opportunities to exercise wider rights of audience.



Lord Mackay: "There should be no change for the sake of it."

Special report on the legal profession: pages 31-40

majority on his proposed new advisory committee to advise on standards of conduct and training of advocates.

He called on the legal profession to respond with "vigour" to the "challenges of change."

On judicial appointments, Lord Mackay said that as time went on, the pool from which judicial candidates were drawn would grow and more women and black lawyers "of the appropriate calibre" would come up for appointment.

He had already "given every encouragement" to such candidates; and wanted to give more. There were many more women now being appointed to the first judicial rung, assistant recorder: the total is now 25, out of 496, he said. Of 766 recorders, 43 are women. Under his reforms, the Bar will no longer have a monopoly of senior judicial appoint-

Study aims to reduce delays before trial

By Our Legal Affairs Correspondent

Top officials from three government departments are examining statutory time limits for each stage of the prosecution process up to trial as a way of reducing delays.

The group, from the Home Office, Lord Chancellor's Department and the Crown Prosecution Service, under the Attorney General's department, is a standing tripartite forum on aspects of criminal justice policy.

It has set up sub-committees to address four specific issues in response to defects highlighted in the Crown Prosecution Service and its dealings with other agencies.

The issues are the warning

of witnesses, quality and control of police files, delays in the prosecution of cases, and criminal records (court results and defendants' antecedents).

The committee, which have had a preliminary meeting, will report to the Home Affairs committee chaired by Sir John Wheeler.

The proposal for statutory time limits to deal with delays has been put forward by the Justices' Clerks' Society, the chief legal advisers to magistrates, which has been particularly concerned about the slowness of processing cases.

Mr Tony Heath, secretary of the society, said such time limits for each stage of the

prosecution process would serve as a discipline.

"Without time limits there is a tendency to give priority to other areas of work," he said. "This would make the prosecution process a priority and also strengthen the role of the magistrates' courts in controlling delays, giving them a statutory basis on which to work, rather than relying on varying practices at local level."

The time limits would be an extension of the custody time limits now in force for the period a defendant is remanded in custody up to trial, he said. They could be imposed for the period up to

advance disclosure of papers, for the period up to the decision on mode of trial, and for the period up to committal proceedings, if there are any, or up to summary trial.

There also needed to be a time-scale for the provision of files. "At present there is no resolved policy even on whether these should be typed or not."

Mr Heath said the first step might be for a voluntary code of practice.

"The problem is that since the police gave up prosecuting, they have de-prioritized this work; they have no direct incentive to avoid delays."

Leading article, page 15

Chinese symbols come to life

我来自中国
南京



Tom Wright and Elizabeth Donahar, aged five, learning Chinese characters at the Fairchild School, New Addington, Croydon, south London. Mrs Hu Hong Yang is spending six months at the school, which established the swap through the Exchange Teacher Association after a similar venture last year. Mrs Yang, who teaches teenagers in Nanjing, said she was more used to classes of up to 40 or 50, where between lessons pupils have 10 minutes of exercises, including eye massage for relaxing after intensive study.

Training pledge for school leavers

By David Tytler, Education Editor

All 16-year-old school leavers will be given a four-year guarantee of education and training under a scheme announced by the Labour Party yesterday.

In a review of education and training after 16 the party said, it would also introduce a system of five A levels, an idea that has already been rejected by the Government.

Mr Jack Straw, Labour's education spokesman, said: "We are in danger of becoming the worst educated and trained country in Europe."

He promised a written guarantee of education and training to every school-leaver aged between 16 and 19 years, to integrate education and training with a post-16 core curriculum: five A levels; clear education targets to raise standards; and to replace the Youth Training Scheme with a "traineeship", giving opportunities to train with leading Western European companies.

In a timetable set for a new Labour government elected immediately, 80 per cent of 16- to 18-year-olds would be expected to achieve five GCSEs of grades A-C or their equivalent by 1995, with 50 per cent gaining one A level or its equivalent by 2000.

Mr Straw said authorities would be given a budget which would include help for those who believed they could not afford to stay on in education.

Mr John MacGregor, Secretary of State for Education and Science, challenged Labour to spell out how much extra it would spend on training and how it would be funded. "Without that the words are meaningless," he said.

The bursary paid to physics students training as physics teachers will rise from £1,300 to £2,000, Mr MacGregor said yesterday. The move is intended to plug the shortfall in physics teachers.

Heysel disaster appeal

Ten fans fail to appear for case start

Ten Liverpool soccer supporters who failed to turn up in court in Brussels yesterday for the start of the Heysel disaster appeal hearing may face warrants for arrest and extradition in June, a lawyer said.

Mrs Miriam Shelvee, representing two of the four convicted supporters who did not return to court, said that a decision was likely when the appeal procedure — the last stage in the Heysel courtroom saga — ends in 10 weeks.

Judge Pierre van de Walle said yesterday that he would examine every aspect of the disaster in which 39 soccer fans, mostly Italian, died at the European Cup Final between Liverpool and Juventus almost five years ago.

He would concentrate on "collective responsibility" and the individual role of the 14, whose three-year jail terms for manslaughter are the subject of an appeal by the Belgian public prosecutor, who wants tougher sentences.

Mrs Shelvee, a solicitor for some of the supporters represented by the late Sir Harry Livermore at the trial ending in April 1989, said the main reason that most of them failed to attend was cash.

She said: "They simply can't afford it. Their families are still trying to pay off loans taken out to find £2,000 each to lodge as bail when the original trial began."

"This whole appeal process seems very disorganized. The four fans who are here don't understand what is going on."

"I expected warrants to be issued today for the arrest of the others, but that now seems possible at the end of this appeal on June 1 — if the judge decides to increase the existing sentences. It means the fans and their families remain in

limbo."

However, the appeals were going ahead despite the absence of 10 fans advised by lawyers to stay at home.

The court ordered the showing of video recordings of violence and the stampede in which the 39 were crushed to death, pinned against a wall as they tried to flee stone-throwing Liverpool supporters.

Mrs Shelvee said: "I hope the Belgian authorities will not seek the arrest and extradition of the fans at home. I think they are as keen as anyone to end this procedure."

The three-judge appeal court intends to consider some of the 60,000 pages of trial evidence.

The four Liverpool fans sat in silence, listening to translations by their interpreters. They are expected to stay in Brussels at least until tomorrow, when the judge intends calling them to give evidence.

The four are Stanley Conroy, aged 38, of Runcorn, Cheshire; Gary Evans, aged 24, a bank worker from Liverpool; John Davies, 25, a painter and decorator from Merseyside; and Alan Woodray, also 25, an unemployed technician from Reading, Berkshire.

A total of 25 Liverpool fans were charged originally with manslaughter. Fourteen were convicted and 11 acquitted.

Eight of those found guilty are counter-appealing against their convictions, although all the Liverpool supporters went home when the trial finished.

Albert Roosen, secretary-general of the Belgian Football Union, and Johan Mahieu, a Belgian police captain, who were convicted of unlawful killing, are also appealing against conviction.

Security tight for theft trial

There was tight security at the Central Criminal Court, London, yesterday when Frederick Foreman went on trial for allegedly taking part in a £6 million Security Express robbery nearly seven years ago.

Mr Foreman, aged 56, denied the charges. The case continues today.

GP struck off

A GP who asked patients and staff about their sex lives was struck off the medical register. Dr Mohammed Ali Reza, aged 56, who worked in Woolwich, south-east London, was found guilty of serious professional misconduct.

Injury award

A woman aged 45 who was injured by a plastic bullet fired by a Royal Ulster Constabulary officer was awarded £10,000 compensation. Mrs Sarah Robinson, of Kerman Hill, Portadown, was hit in the thigh in July 1985.

New candidate

A television scriptwriter and barrister has been selected as Labour Party candidate in Amber Valley, Derbyshire. Mr John Cooper, aged 31, replaces Mr David Bookbinder, leader of Derbyshire County Council, as the Labour candidate.

Sizewell jobs

One hundred workers at the Sizewell B power station construction site in Suffolk have been made redundant by Cleveland Bridge, of Darlington, after a bonus payments dispute.

Road decision

Protesters fighting plans for an M1 link road through the Colne Valley in Hertfordshire lost their case in the High Court in London.

Film stunts

Liverpool City Council has stopped demolition schemes in an attempt to self-destruct blocks to film-makers for porn stunts.

Porn inquiries

An alleged child sex ring in Penzance, Cornwall, involving up to 30 youngsters, some aged only 10, is being investigated by police.

Dinosaur remains may shed light on European prehistory

By Nick Nuttall, Technology Correspondent

Scientists are claiming to have discovered a new species of dinosaur that roamed the Earth 65 to 68 million years ago.

Remains of the creature, a two-legged, plant-eating reptile, have been unearthed by palaeontologists in the foothills of the Pyrenees in Catalonia, north-eastern Spain.

British experts believe the find, dating from the late Cretaceous period, may offer valuable insights into the prehistoric animal life of Europe.

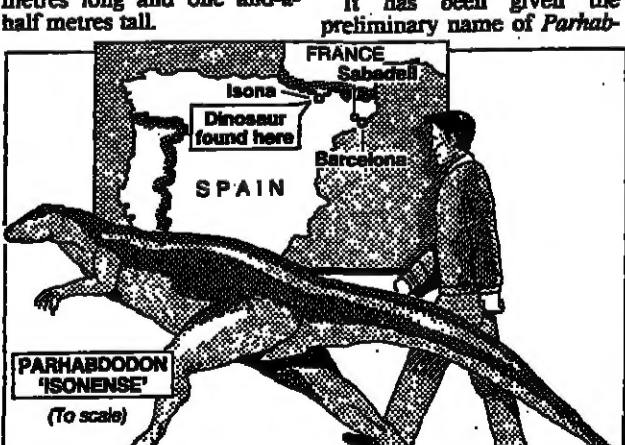
The team that discovered the creature believe it to be a new species of Rhabdodon, a creature resembling a cross between a reptile and a giant chicken, up to three and a half metres long and one and a half metres tall.

Dr David Norman, head of palaeontology at the Nature Conservancy Council and author of *The Illustrated Encyclopedia of Dinosaurs*, said: "We know lots about late Cretaceous dinosaurs from North America and Asia, where very well-preserved and diverse specimens have been found. But from Europe we know precious little. This is mainly because deposits in Europe are sea deposits."

The new remains have been found at Isona in Catalonia by a team from the Sabadell Palaeontology Institute.

Anatomically, it is a more bandy-legged and chunkier version of *Dryosaurus*, an earlier herbivore.

It has been given the preliminary name of *Parhabdodon*.



FRANCE
SPAIN
Isona
Sabadell
Barcelona
PARHABDODON 'ISONENSE' (To scale)

dodon Isonense after the small town near the site where it was discovered.

Dr Joseph Vicenc Santafe and Dr Lourdes Casanovas said they had found the fossilized humerus or leg bone and several parts of the creature's back bone. They were especially pleased with the age of the remains.

"It is very rare to discover a new species from the late Cretaceous period, because by then there were not many dinosaurs left," Dr Santafe said.

The theory that the reptile is a new species rests on the width of the leg bone, which, Dr Santafe said, is thicker than those of previous *Rhabdodon* finds.

The team are plan to publish their findings in a leading scientific journal.

Dr Norman said the first European discovery of *Rhabdodon*, a shy, "not desperately agile" creature, was made in Southern France in the last century.

Isolated pockets of what are claimed to be new species have since emerged, stretching from Holland across Austria, southern France and Rumania into the Crimea. Dr Norman is working on remains from a site in Transylvania.

He believes that all finds so far are of just one species, *Rhabdodon priscus*.

Insurers should cut rates in crime fight

By Charles Kneivitt

Insurers of residential property should introduce differential premiums for home owners who take measures to help to reduce break-ins, Mr Christopher Chopin, Parliamentary Under-Secretary of State at the Department of the Environment, said yesterday.

Burglaries in England and Wales were down 8 per cent last year to 66,000, he said at the launch of the Secured By Design campaign set up by 10 police authorities in the South-East.

The initiative, to build in security measures to new houses, is funded by makers of home-security products and will eventually go nationwide.

Sir Peter Imbert, Commissioner of Metropolitan Police, said that the intention was to "design out" crime. Two million copies of a new leaflet, outlining security measures, will be distributed.

Major house-builders have committed themselves to build new properties which feature four crime-beating measures. These cover:

- Estate design, such as "defensible space", landscaping and natural surveillance;
- physical security, such as door and window locks, chains and peep holes;
- external lighting, front and rear, and smoke detectors;
- optional intruder alarms.

The additional cost to the homebuyer will be around £400 for a typical three-bedroom semi-detached.

A survey among home buyers in the North-East disclosed that simple measures reduced the incidents of crime by about 40 per cent.

Error by US loses chess summit lead

The Soviet Union took a one-point lead with a narrow victory over the United States in the dying seconds of its third-round match in the team chess summit (Reuters reports from Reykjavik).

Larry Christiansen, the American grandmaster, under pressure to complete his move, made a last-minute error in his tie against Mikhail Gurevich to give the Soviet Union the lead.

Britain capitalized on errors by the Nordic countries to retrieve a match which had initially looked safe for the northerners.

Play resumes today when the four teams begin the second stage of the six-round tournament, in which each team plays the others twice.

Standings after three rounds showed the Soviet Union leading with 17½ points, followed by the US on 16½

points, Britain on 14½ and the Nordic countries on 11½.

Third-round results:

- US 4½, Soviet Union 5½
- UK 4½, A Yasupov ½, V Seirawan 0, V Ivanchuk 1; I Fedorowicz 1, R Vaganian 0; I DeFirmian ½, A Sokolov ½, Christian 0, Gurevich 1; W Browne 1, S Dolmatov 0; J Ben-jamin 0, V Eingorn 1; R Zind-zhabashvili ½, L Polugavsky ½, A Lein ½, S Makarychev ½, A Ivanov ½, A Dreev ½.

Britain 5½, Nordic 4½; N Short 0, S Adgestein (Norway) 1; J Speelman 1, H Olafsson (Iceland) 0; J Nunn ½, M Petursson (Iceland) ½; J Hodgson ½, F Hellers (Sweden) ½; M Adams 0, J Hjartarson (Iceland) 1; D King 0; J Arnason (Iceland) 1; M Suba 1, F Olafsson (Iceland) 0; J Mestel 1, J Jyola (Finland) 0; D Norwood 1, E Mortensen (Denmark) 0; A Kosten ½, K Thorsteins (Iceland) ½.

Test case ruling opens way for 700 to sue over drug

By Michael Horsnell

Hundreds of victims who suffer crippling back pain allegedly caused by a chemical dye are expected to launch compensation claims of up to £150 million after a test case ruling by the High Court yesterday.

More than 700 alleged victims, many of whom are paralysed, won the first round of their legal battle when Mr Justice Steyn allowed the estimated £2 million cost of the multiple claims to be shared equally.

The ruling means no individual will be liable for costs and all claims will be heard by Mr Justice Steyn and Mr Justice Rose. In effect, the judge has contained group actions similar to those in the Opren and whooping cough claims.

The test case was brought by Mrs Barbara Ann Chrzanowska, aged 61, a seamstress of Hurleybrook Way, Leamington, Telford, Shropshire, who has been partly paralysed and confined to a wheel-

chair after being injected with the drug Myodil in 1976. It may take two years before her compensation claim is heard.

Mrs Chrzanowska was not in court but Ms Ann Alexander, her solicitor, said after the ruling: "This is a victory for us and we can now get on with bringing these claims to court."

The alleged victims are suing Glaxo Laboratories, who produced Myodil dye. The dye was widely used for injecting hospital patients who required back scans before being withdrawn in 1987.

It was alleged that Glaxo was negligent in failing to properly research, test or develop Myodil and manufactured it without sufficient regard for safety.

It was used in the 1970s and early 1980s to help to diagnose back complaints. However, it is alleged to have caused the gradual deteriorating disease arachnoiditis, which in extreme cases can lead to

paralysis or disability with severe pain, while in others it produces a numbness of the spinal chord or tingling in the back and legs.

In America, where the drug was marketed by Lafayette Industries under the name Pantopage, the company was successfully sued for \$3.25 million by one victim; on appeal the case was settled out of court for an undisclosed sum, as were several other claims. Glaxo denies negligence and is fighting the claims.

Ms Alexander said: "The company have said they are very sorry but claim it is not their fault."

"They said it was known the dye was dangerous and could cause the disease and warned it should only be used by specialists. We say they did not make it clear how dangerous it was and how it was to be used."

Health authorities and individual doctors are also likely to be sued for damages for negligence.

In allowing the group actions, the judge said that if the courts did not have the power to make such orders the system would break down.

Most of the claimants are said to be middle-aged, but some are as young as 25.

Mr David Harris, of the Manchester law firm Alexander Harris & Co, who is also preparing cases for six other alleged victims of Myodil, said about 700 victims were planning to make claims either against Glaxo, health authorities or individual doctors.

He estimated that in total the claims could exceed £150 million.

He said time was running out for victims who wanted to make claims because of the three-year limit on the launch of court actions.

"The public have to be made aware that

they have to come forward now," he said.

Mr Harris said the claim by Mrs Chrzanowska, who made wedding dresses before she was paralysed, had been brought first because she met three important criteria. She had been injected with Myodil, had been diagnosed as suffering from arachnoiditis and had been granted Legal Aid to bring a case.

It is alleged that the disease has resulted in two suicides and several deaths.

In his judgement the judge said justice demanded that new procedures should evolve to meet the likely spate of group-damage claims in the 1990s. He said the present state of English civil law — under which claimants have to sue individually — was "not a satisfactory state of affairs."

"I must proceed on the basis that the courts have broad powers to permit new procedures that will permit the needs of justice," he said.



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Ethiopia aid convoy seeks to open way for famine relief

By Michael Knipe, Diplomatic Correspondent

A "high risk" operation to deliver relief supplies to famine-hit areas of northern Ethiopia is scheduled to begin tomorrow, when a convoy of 30 lorries will attempt to open a southern corridor from the government-held port of Assab to rebel-held territory in Tigré and Eritrea.

Mrs Lynda Chalker, the Minister for Overseas Development, who visited Addis Ababa last week, disclosed yesterday that President Mengistu of Ethiopia had assured her that government forces would not obstruct the convoy. She said she had received similar assurances from the rebels, but this claim was contested by Christian Aid officials, who said the rebels had only indicated an acceptance in principle and a specific proposal had not been put to them.

Mrs Chalker admitted that the first convoy's mission would be a high-risk operation. It would face risks when it passed from the area controlled by government troops into a no-man's-land and then into an area controlled by rebels, she said.

The convoy is being mounted by a consortium of Ethiopian church agencies, known as the Joint Relief Programme. It will pave the way for a much larger operation to be mounted by the United Nations World Food, and the Ethiopian and international non-government relief agencies.

In London yesterday Mrs Chalker and Save the Children Fund officials emphasized the setback caused by the capture

of Masawa, Ethiopia's northern port, by Eritrean rebels early last month.

Mr Jim Maund, the Save the Children Fund field director for Ethiopia, said 90 per cent of relief supplies were channelled through Masawa, and half a million people were directly supplied from there. When it was captured, most port facilities were destroyed, together with the relief stocks.

"I cannot overstate the setback that caused," said Mrs Chalker. "There is a strong possibility now that adequate relief will not reach a proportion of the people at risk and it has required that a more difficult, more costly and more hazardous alternative be put into operation."

Britain was helping, said Mrs Chalker, by providing a further £8.5 million in new emergency relief and food aid. Together with 10,000 tonnes of wheat flour worth £2.6 million — announced in January but not yet allocated to the relief agencies — this new aid brings to almost £13 million Britain's emergency assistance for Ethiopia so far this year.

Mr Maund said that, although virtually all of north-

western Ethiopia was now in rebel hands, it was not possible to handle the big famine relief operation which was becoming necessary without operating from government-held areas.

Mr Andrew Timpson, the Save the Children Fund's deputy divisional director for Africa, said that, although conditions in northern Ethiopia were grim, with 4.5 million people threatened by famine, they were not yet as dire as in 1984-1985. There was not yet any large-scale migration of the population and there was still time to stop that occurring.

Although Ethiopia lost 80 per cent of its crop last year, it had a good harvest in 1988, so there were some stocks to alleviate the famine. Aid agencies were also better prepared now to respond to an emergency.

There was still time for a large-scale relief operation, said Mr Timpson, but the situation would be critical by the summer, and if there was another poor harvest the situation in 1991 would be even more serious.

NAIROBI: The Eritrean People's Liberation Front has offered the captured Red Sea port of Masawa as a gateway for a famine relief operation to both government and rebel-held areas (Reuters reports).

"The port of Masawa with all its existing facilities... is open and free for emergency relief operations," the Front said in a letter to Señor Javier Pérez de Cuellar, the UN Secretary-General.

At the Jewish settlement of Gush Etzion on the occupied West Bank yesterday, right-wing settlers were openly relieved that, after a year of manoeuvring over US-sponsored peace plans, movements towards talks with the Palestinians in Cairo had been stopped in their tracks by the Israeli Government crisis.

"So Labour wants to bring the coalition down on Thursday," one settler said, surveying the settlement of red-roofed houses on a hillside.

"Good. They and the Americans won't be able to pull Shamir towards a betrayal of Greater Israel. Once in Cairo, we would have ended up talking to the terrorist Arab."

Nearby, at Dabeisha refugee camp, left-wing Israeli peace activists who regularly visit Palestinian homes to "create dialogue" took the opposite view. "Maybe now we can move towards Cairo without the right wing holding us back," one said.

In the short term, neither left nor right has the upper hand. Neither Labour, led by Mr Shimon Peres, nor Likud,

led by Mr Yitzhak Shamir, the Prime Minister, has enough votes in the Knesset (parliament) to win a vote of confidence or form a government on its own.

To achieve a majority, either party needs 61 votes. Labour, with its left-wing allies, can muster 55; Likud, with the smaller right-wing parties, has 47 votes.

The balance of power thus lies with the black-coated, black-hatted deputies — many of them rabbis — from the four Orthodox religious parties: Shas, Agudat Israel, the National Religious Party and Degel Hatorah. Between them they have 18 seats, following their gains in the last election in November, 1988.

But the religious parties are also divided on the peace question. Some are conservative in outlook and believe in continued Israeli control of the occupied territories. But others, notably Agudat, are dovish enough to side with the Labour Party.

Labour also argues that talks on elections are remote indeed from talks on an Israeli withdrawal from the West Bank and Gaza.

Yesterday Mr Ze'evulun Hammer, a leader of the National Religious Party and present Minister for Absorption, shuttled between senior Likud and Labour ministers to promote a compromise suggested by Mr Yitzhak Rabin, the hawkish Labour Defence Minister.

Under the compromise, Israel would accept American terms for the Cairo dialogue but would leave the most contentious issue — the participation of east Jerusalem Arabs in the talks — to a Knesset vote. But most Israelis feel that the crisis has gone too far to be patched up and believe the Government will fall on Thursday, with Israel facing new elections.

The failure of Likud and Labour to find common ground has revealed the polarization of Israeli society more clearly than at any time since the national crisis over the invasion of Lebanon in 1982. Repeated attempts to find ambiguous language have finally failed to gloss over the divisions.

According to Labour, Mr Shamir, who remarked recently that "you cannot occupy land which belongs to you", has given in to the right by refusing to accept the terms for dialogue proposed by Mr James Baker, the US Secretary of State. Likud officials readily admit that "Shamir did not want to go down in history as the Prime Minister who started the Cairo talks".

Remarks by Mr Baker and President Bush recently on

Clashes mar Chilean plea for new beginning



Under a sign saying "Welcome home", police used a water cannon to disperse people gathered outside the presidential palace in Santiago. They went into action when street clashes broke out after the inauguration of President Patricio Aylwin, Chile's new civilian leader.

The clashes which resulted in scores of injuries and arrests marred the celebration of democracy's return to Chile as President Aylwin called for an end to violence and hate (AP reports).

Santiago's central emergency hospital reported early yesterday that 122 people had been treated there. Four remained in hospital with broken bones. Police said 79 officers were wounded, 10 seriously.

President Aylwin, who took over from

General Augusto Pinochet, told supporters from the balcony of the presidential palace: "Chile does not want more violence. It does not want more war." Thousands below him cheered. "This infant being born, this liberty we are reconquering, we have to take care of it," he said. That would require "knowing how to respect one another, never again having Chileans divided into enemies".

Señor Aylwin had assumed the presidency to thunderous cheers and applause earlier on Sunday during a ceremony in the seaport of Valparaíso, 70 miles north-west of Santiago.

In surrendering the presidency, General Pinochet ended 16½ years of military rule, completing South America's transition to a civilian government.

AYLWIN'S FIRST CABINET

Santiago (AFP) — President Aylwin swore in his Cabinet shortly after taking office. It includes 10 Christian Democrats, six Socialists, two Radicals, one Social Democrat, one Independent and one member of the centre-right.

The new ministers: Foreign Affairs Enrique Silva Cimma; Agriculture Juan Agustín Figueroa; Interior Enrique Krauss; Justice Francisco Cumplido; Defence Patricio Rojas; Finance Alejandro

Foxley; Labour René Cortázar; Health Jorge Jiménez; Mining Juan Hamilton; National Planning Sergio Molina; Presidential Secretary Edgardo Boeninger; General Secretary of the Government Enrique Correa; Economy Carlos Ominami; Education Ricardo Lagos; Transportation Germán Correa; National Property Luis Alvarado; Energy Jaime Tola; Public Works Carlos Hurtado; Corporation for Promotion of Production René Abellán; Housing Alberto Etcheberry.

WORLD ROUNDUP

Townships tense after crackdown

Johannesburg (Reuters) — Tension gripped black townships yesterday after police detained about 150 people in a crackdown on South Africa's worst unrest in four years.

Security sources said the detentions in Natal, Transvaal and Orange Free State at the weekend had caused a drop in the six-week-old violence that has cost 200 lives in townships and black tribal homelands.

STOCKHOLM: Mr Nelson Mandela, deputy President of the African National Congress, yesterday arrived in Sweden for his first visit to Europe since his release from jail a month ago (Christopher Mosey writes). He visited Mr Oliver Tambo, President of the ANC, who is recovering from a stroke. Although the ANC office here says Mr Tambo is "still very much in control", his continued ability to carry out his duties has been thrown into question.

Boat people cash plea

Amid anger in Hong Kong at the cost of keeping the Vietnamese boat people, it has emerged that Britain is pressing the United States to help (Andrew McEwen writes). The US contributes indirectly through donations to the United Nations High Commissioner for Refugees. But the UNHCR is HK\$115 million (£8.9 million) behind in its payments to Hong Kong, because governments have given less than requested. Hong Kong spent HK\$1.5 billion on the boat people up to March 1989. In the year since then, it is estimated to have used a further HK\$1.08 billion.

Severed head shock

New York — Even hardened local residents were shocked at the weekend when they found a group of boys playing football with a severed human head (Charles Bremner writes). The incident added to the feeling among New Yorkers that violence is getting out of hand. The boys, aged between nine and 13, found what they said they believed was a ball of rage in a cardboard box. Later they threw the "ball" into a bin. Police found the head wrapped in cloth and identified it as that of an Hispanic teenager. His arms and legs were found in green rubbish bags nearby.

Kashmir talks offer

Islamabad — Pakistan has offered an unconditional dialogue with India on Kashmir and on other issues to ease tension in the subcontinent (Zahid Hussain writes). Sahabzada Yaqub Khan, Pakistan's Foreign Minister, said relations were at a delicate and tense period and that Islamabad was prepared to resolve disputes through negotiations. He firmly opposed demands for an independent Kashmir. Opposition parties and the government of Pakistani Kashmir have opposed any dialogue with India and have accused Miss Benazir Bhutto, the Prime Minister, of selling out to Delhi.

Standing room only

Tokyo (AP) — Seatless carriages were introduced on a Tokyo rail line yesterday to reduce overcrowding during rush hours, but some commuters complained of being treated like freight. The new carriages on the crowded Yamamoto loop line have seats that can be lowered or folded back into the wall by pushing a button, a rail official said. But the seats will remain folded during morning rush hour to increase capacity and make it easier for passengers to get on and off trains. Regular train carriages on the line have a rated capacity of 144, while the new ones can officially carry 162.

It was Ruskin who, emerging from Florence cathedral, first described the darker side of the Florentines. No Florentine, Ruskin said, could utter a word without lapsing into what he called "incontinent rage".

Yesterday groups of Senegalese coloured immigrant traders gathered in the cathedral square to protest against the Florentine authorities' decision to ban them from the city centre, describing it as "blatant Italian apartheid".

"The Florentines have declared open season today on black people," said a Senegalese student who had gathered with friends in front of Giotto's tower.

As he spoke, police helicopters hovered overhead and riot police

Minister tries to sell Rabin compromise

From Richard Owen, Jerusalem

At the Jewish settlement of Gush Etzion on the occupied West Bank yesterday, right-wing settlers were openly relieved that, after a year of manoeuvring over US-sponsored peace plans, movements towards talks with the Palestinians in Cairo had been stopped in their tracks by the Israeli Government crisis.

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Israeli coalition crisis

Minister tries to sell Rabin compromise

From Richard Owen, Jerusalem

At the Jewish settlement of Gush Etzion on the occupied West Bank yesterday, right-wing settlers were openly relieved that, after a year of manoeuvring over US-sponsored peace plans, movements towards talks with the Palestinians in Cairo had been stopped in their tracks by the Israeli Government crisis.

"So Labour wants to bring the coalition down on Thursday," one settler said, surveying the settlement of red-roofed houses on a hillside.

"Good. They and the Americans won't be able to pull Shamir towards a betrayal of Greater Israel. Once in Cairo, we would have ended up talking to the terrorist Arab."

Nearby, at Dabeisha refugee camp, left-wing Israeli peace activists who regularly visit Palestinian homes to "create dialogue" took the opposite view. "Maybe now we can move towards Cairo without the right wing holding us back," one said.

In the short term, neither left nor right has the upper hand. Neither Labour, led by Mr Shimon Peres, nor Likud,

led by Mr Yitzhak Shamir, the Prime Minister, has enough votes in the Knesset (parliament) to win a vote of confidence or form a government on its own.

To achieve a majority, either party needs 61 votes. Labour, with its left-wing allies, can muster 55; Likud, with the smaller right-wing parties, has 47 votes.

The balance of power thus lies with the black-coated, black-hatted deputies — many of them rabbis — from the four Orthodox religious parties: Shas, Agudat Israel, the National Religious Party and Degel Hatorah. Between them they have 18 seats, following their gains in the last election in November, 1988.

But the religious parties are also divided on the peace question. Some are conservative in outlook and believe in continued Israeli control of the occupied territories. But others, notably Agudat, are dovish enough to side with the Labour Party.

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US flies deposed Avril to exile

From Alan Tomlinson, Port-au-Prince

Lieutenant-General Prosper Avril, Haiti's former military President, flew into exile yesterday on board an American military aircraft, so clearing the way for the appointment of the first woman to the country's top post.

Accompanied by his wife, two teenage children and a servant, the general, aged 52, made a dawn dash to the airport accompanied by a convoy of Jeeps.

Mr Malvin Adams, the American Ambassador, personally put the family on board a US C141 Starlifter aircraft bound for Florida.

The scene was a re-run of the exit four years ago of Mr Jean-Claude Duvalier, then President-for-life, whose fall after 30 years of dictatorship catapulted the Western hemisphere's poorest nation into one of the bloodiest periods in its troubled history.

Within minutes of General Avril's departure, an alliance of civilian opposition leaders known as the Group of Twelve announced that Mrs Ertha Pascal-Trouillot, a Supreme Court judge, had agreed to head an interim Government charged with holding elections later in the year.

Mrs Trouillot, a widow in her mid-forties, was Haiti's first woman judge and was to be sworn in immediately as its sixth President since Mr Duvalier fled.

Her tenure is expected to be a short one, however, since opposition groups believe that municipal, legislative and presidential elections can be organized within three to six months. Mrs Trouillot will in the interim be advised by a 19-member Council of State made up of opposition leaders and representatives from the rural provinces.

"We do not feel that we have had five governments since Jean-Claude Duvalier left," said Mr Jean-Claude Bajeux, a member of the Group of Twelve and a human rights activist. "We have had only one Government, the military — the same one we have been fighting for four years. Now we hope we will have a civilian government — civilian also in the sense of civilized government."

General Avril, promising to hold early elections, which he never did, was thrust into power 18 months ago in a barracks coup by non-commissioned officers who expressed disgust at the violence and cynicism of the military regime which took over after Mr Duvalier.

That regime was first held largely responsible for a massacre of voters that sabotaged elections in 1987, then manipulated a later ballot only to topple the Army's chosen winner, Mr Leslie Manigat, when he tried to sack senior officers.

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Senegalese traders protest as Florence 'apartheid' is enforced

From Richard Bassett, Florence

It was Ruskin who, emerging from Florence cathedral, first described the darker side of the Florentines. No Florentine, Ruskin said, could utter a word without lapsing into what he called "incontinent rage".

Yesterday groups of Senegalese coloured immigrant traders gathered in the cathedral square to protest against the Florentine authorities' decision to ban them from the city centre, describing it as "blatant Italian apartheid".

"The Florentines have declared open season today on black people," said a Senegalese student who had gathered with friends in front of Giotto's tower.

As he spoke, police helicopters hovered overhead and riot police

patrolled the city centre. Near by two or three police vans could be seen carrying away pairs of Moroccans whose only crime appeared to have been their unwanted presence in a pizzeria.

A spokesman for the 20,000-strong Senegalese community in Florence read out a statement to passers-by insisting that crime in the city was not exclusively committed by coloured immigrants. "We are against crime as much as anyone else. It is absurd that, as the flame of racism is slowly extinguished in South Africa, it is burning again in the heart of the European continent," the statement said.

According to Signor Vittorio Parisi, the Florentine police chief, however, 50 per cent of all petty crime in Florence is committed by

the immigrants. The Communist Party in Florence disputes this figure. Signor Graziano Cioni, the local Communist politician responsible for commenting on police affairs, put in a prompt

There is racism everywhere, but here, at the heart of humanitarian culture, it is intolerable

appearance in front of the cathedral yesterday morning to assure the immigrants that the Communists in Florence were not racist.

"For me it does not matter whether a man is black or white. Whether he is a criminal is the key

question," Signor Cioni explained to the assembled immigrants.

Dr Giel Gobow, a Somali academic who has worked in Florence for some years, warned the crowd that racism was to be found not only in Florence. "There is racism everywhere in Europe, including Italy; but here, at the heart of humanitarian culture, it is intolerable," he said.

The local Italian traders under whose pressure many believe the police ban was imposed, disagreed. "We have to be safe. Florence has to be secure. These immigrants are crooks, prostitutes, drug addicts," said Signor Eugenio Gabone, a chocolate manufacturer who has a shop near the cathedral.

Many Florentines not involved in trade, however, believe the campaign against the immigrants

will have no effect on the city's soaring crime rate.

"This is a campaign to divert attention away from the real criminals, who are certainly not immigrants but have very strong links with the Mafia," Signor Marco Farfani, an art teacher, said. But on the Ponte Vecchio the local traders were relieved that the scores of Senegalese salesmen attempting to sell reproduction designer luggage and cheap African jewellery had disappeared. "I am not a racist, but I tell you that my shop sells the best jewellery in Tuscany. These people were no advertisement for Florence," Signor Arturo Capitano, owner of one of the city's better shops, said.

In the less glamorous streets around the nearby Piazza Santo Spirito, where discarded hypo-

dermic needles used by drug addicts still daily multiply, the police are less noticeable.

"This is where the 240 extra policemen should be on duty, not in front of the cathedral. This is where the real crime of Florence is born," an old lady from the dilapidated Pensione Bandini insisted, pointing with her umbrella at a pile of syringes beneath a Renaissance porch.

There can be no doubt that yesterday's police action is approved of by most Florentine businessmen, but it remains to be seen whether the authorities' rather crude approach to a vulnerable minority solves the problems of that darker side of Florentine life into which no one, least of all the Florentines themselves, cares to peer too closely.

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Hints o
China's

Castro ar
rights act

Egypt acts

Licence to kill

Son gives

Common leader

Greek election

COMMUNISM IN CRISIS

Hints of internal splits as China's party ducks issues

From Catherine Sampson, Peking

After a three-day plenum, the Chinese Communist Party's Central Committee yesterday produced a communiqué more remarkable for what it did not say than for what it did. The silence of the party's elite on matters which have a bearing on its survival hints at violent disagreements which the leadership does not want to make public.

The collapse of East European communism was dismissed in a defiant flourish, "despite a changeable world situation and temporary domestic difficulties, we will surely establish ourselves in an unassailable position".

Effectively admitting that the party had divorced itself from the people, the communiqué urged the party to strengthen its ties with the people.

"Bureaucracy, subjectivism, formalism, passivism, corruption and other serious phenomena of divorce from the masses have grown among some party organizations and party cadres in recent years," said the communiqué. It made no mention of the Peking massacre — perhaps the one single event which has divorced the party from the people more than any of the evils listed.

And the solution prescribed by the communiqué for healing the party-people divorce is

a heavy dose of Marxist education and a Cultural Revolution-style flow of officials to the countryside to "go among the masses".

Strangely, the communiqué made no mention — critical or otherwise — of "bourgeois liberalization", the catchphrase for Western political ideals which have been condemned as the enemy of socialism and the cause of last year's anti-government protests. Usually leaders take every opportunity to slam "bourgeois liberalization".

Nor did the communiqué mention last year's unrest. There are two possible interpretations. One is that the party has realized the massacre is indefensible and is trying to pretend it never happened. The other possibility is that the unrest and subsequent crackdown are so controversial an issue within the party that no consensus could be reached, and the subject has become taboo.

It is believed that the Central Committee debated how China should react to the collapse of communism in the Soviet bloc. But, again, that did not appear in the communiqué. The Central Committee's silence does not mean it is happy about what is happening. Indeed, internal party criticism of the changes in Eastern Europe and of

President Gorbachev have been bitter.

Rather, public criticism would be embarrassing before Mr Li Peng, the Prime Minister, returns the visit of Mr Gorbachev, visiting Moscow in the third week of April. Mr Li is neither President nor party leader and it is not clear why it is he, rather than Mr

Peking (AP) — Mr Choi Ho Joong, the South Korean Foreign Minister, making a brief stop here yesterday during a foreign tour, expressed "high hope" that the two countries would soon agree to normalize diplomatic relations. Mr Choi also had talks at the airport here with Mr James Lilley, the US Ambassador.

Jiang Zemin, the General Secretary, or President Yang Shangkun who will go.

Sources say that the visit is a matter of diplomatic necessity with little eagerness on either side. The Central Committee speeches were full of the phrases of isolation reminiscent of the Cultural Revolution — slogans speaking of struggle and plain living.

Evening television news showed ranks of Central Committee members sipping tea and taking notes. There were few smiles, and both Mr Jiang and Mr Li appeared solemn.

Mr Jiang wore a dark Mao

suit, Mr Li and President Yang Western suits and ties — in the past, foreign observers interpreted Western dress as a sign of political flexibility. Nowadays this simple rule is not so reliable.

Initial news releases made no mention of Politburo changes. There was widespread speculation, however, that the three Politburo seats left vacant by Mr Hu Yaobang, the disgraced and deceased General Secretary, by Mr Zhao Ziyang, the ousted subsequent General Secretary, and by Mr Zhao's supporter, Mr Hu Qili, would be filled at this plenum.

Analysts expected that two highly successful men with a reputation for tolerance and support for reform will be brought into the Politburo as an image-enhancer for the party.

The first is the popular Mr Zhu Rongji, aged 62, the Mayor of Shanghai, who is fluent in English and determined to get foreign investors to Shanghai. The second is Mr Ye Xuanping, aged 65, the Governor of Guangdong province, who has turned Canton into a flourishing (and, some say, capitalist) success story.

Keeping it in the family, the third man is expected to be Mr Zou Jiahua, aged 64, Mr Ye Xuanping's brother-in-law and Mr Li's classmate.

Protocol lesson for Havel



President Vaclav Havel of Czechoslovakia crouching, right, as a new procedure for welcoming heads of state to Prague Castle is explained to him by his protocol advisers.

Protesters win their demands in Mongolia

From Catherine Sampson, Peking

President Jambyn Batmunkh of Mongolia yesterday bowed to the demands of pro-democracy protesters and announced his resignation, together with that of the entire communist party Politburo.

He also promised the abolition of the Mongolian People's Revolutionary Party's monopoly of power and said the party would work together with the opposition to make sweeping political changes.

The announcement came as the climax of communist party negotiations with the opposition, which have been consistently good-natured and gentlemanly.

The Central Committee secretariat offered its resignation at the same time as the Politburo. The resignations came in response to several days of hunger strikes and anti-government protests in Sukhbaatar Square, named for the father of the world's second oldest communist revolution.

In a 40-minute report to the Central Committee, Mr Batmunkh yesterday said that the party would amend Article 82 of the Constitution which described the communist party as "the vanguard and the leading power of all state and other mass organizations of working people".

Crackdown in Cuba

Castro arrests rights activists

By Charles Bremner

President Castro of Cuba, embattled and raging against the "betrayal of communism", has started a crackdown against dissent, ordering the arrests of at least eight human rights activists who have been accused of favouring a US invasion.

The official news agency, in a rare confirmation of action against dissidents, said eight "counter-revolutionaries" had been detained on Saturday.

Seven were leading members of the Pro-Human Rights Party of Cuba, including Señora Tania Diaz, its secretary-general. The group had written to congratulate the US last week on its success in promoting a United Nations resolution critical of Havana's human rights record.

The unprecedented UN vote goaded Dr Castro to fury for most of the past week as, although opposed by the Soviet Union, it was backed by Bulgaria, Czechoslovakia, Hungary and Poland, Cuba's erstwhile communist allies.

Dr Castro said Havana would not comply with "a single comma" of the resolution, which criticized Cuba's prosecution of activists who complained to the UN Human Rights Commission a year ago. Havana's allies had "fallen into the lap of the empire which is the enemy of mankind — the oppressor, the invader", Dr Castro declared. "What is left of those countries' dignity? What is left of the socialist community?"

On Sunday, he intensified his rhetoric, saying: "We feel repugnance for those who have struck a colossal, deadly deal with imperialism. We feel a stronger repugnance for betrayal. If, some day, imperialism dares to attack this country, rivers of blood will

flow, and it will not be only our blood, but theirs too."

However, Dr Castro toned down his earlier criticism of Moscow, apparently in response to an attack last week from the official Soviet media, the first since he began railing at President Gorbachev's reforms about a year ago.

He said: "The Soviet Union has not disintegrated. Let's hope it will not disintegrate."

Dr Castro's remarks on invasion were part of an intense campaign to inculcate a fear of imminent US attack.

Over the past two weeks, fresh evidence has been emerging on the growth of opposition to Dr Castro's police state. *Moscow News* said "About 15 dissident groups have emerged with programmes ranging from support of *perestroika* in the Soviet Union to the freedom of religious worship".

Students in two of Havana's most elite communities are reported to have been severely disciplined over the past month for dissident activities.

Cadets at the Camilo Cifuentes Academy in La Cabana fortress were reported to have aimed a ceremonial cannon towards the presidential palace, a symbolic act of considerable import to the security police.

At the university, students have taken to scribbling "8a" on walls. The message — "ocho-a" — reads as a subversive pun on the name of General Arnaldo Ochoa, the army hero who was executed along with fellow officers after a show trial last summer.

Although convicted of drug dealing and corruption, Dr Ochoa was widely seen to have been prosecuted because he posed a threat to Dr Castro's rule. *Letters, 15*

Egypt acts over fires

Cairo — Egypt has established a permanent committee on hotel protection in the aftermath of the two hotel fires which, within a week of each other, killed 17 people, including four Britons staying at the Heliopolis Sheraton (Christopher Walker writes). A report in the semi-official *Al-Ahram* newspaper said the new committee would include representatives from the Ministry of Tourism, the Tourist Police, the Civil Defence Authority, the fire brigade and the Criminal Laboratory.

Licence to kill

Baghdad (AP) — Under a decree signed by President Saddam of Iraq, close relatives who kill adulterous women or their lovers will not be prosecuted, *Al-Ithad*, the business weekly reported.

Son gives up

Beverly Hills (AP) — Mr Erik Menendez, aged 19, the second of two sons charged with killing their millionaire parents at their mansion here, has given himself up to police.

Comoro leader

Moroni (AP) — Mr Said Mohamed Djohar is to replace his murdered predecessor as leader of the Comoro Republic after winning the two-day presidential election.

Greek election

Athens — Greece, plagued by a deepening political and economic crisis, is to hold its third general election in less than a year on April 8.

Briton guilty

Cairo — Mr Paul David Santos, aged 39, a Briton, has been given 10 days to appeal against a 12-month sentence for alleged sexual liaisons with Egyptian boys. He had pleaded not guilty.

Foot saved

Paris (Renter) — A man's foot, severed when he fell under a Metro train, was grafted to his arm to preserve it until it can be sewn back to his leg, the Rothschild Hospital said.

Resign call

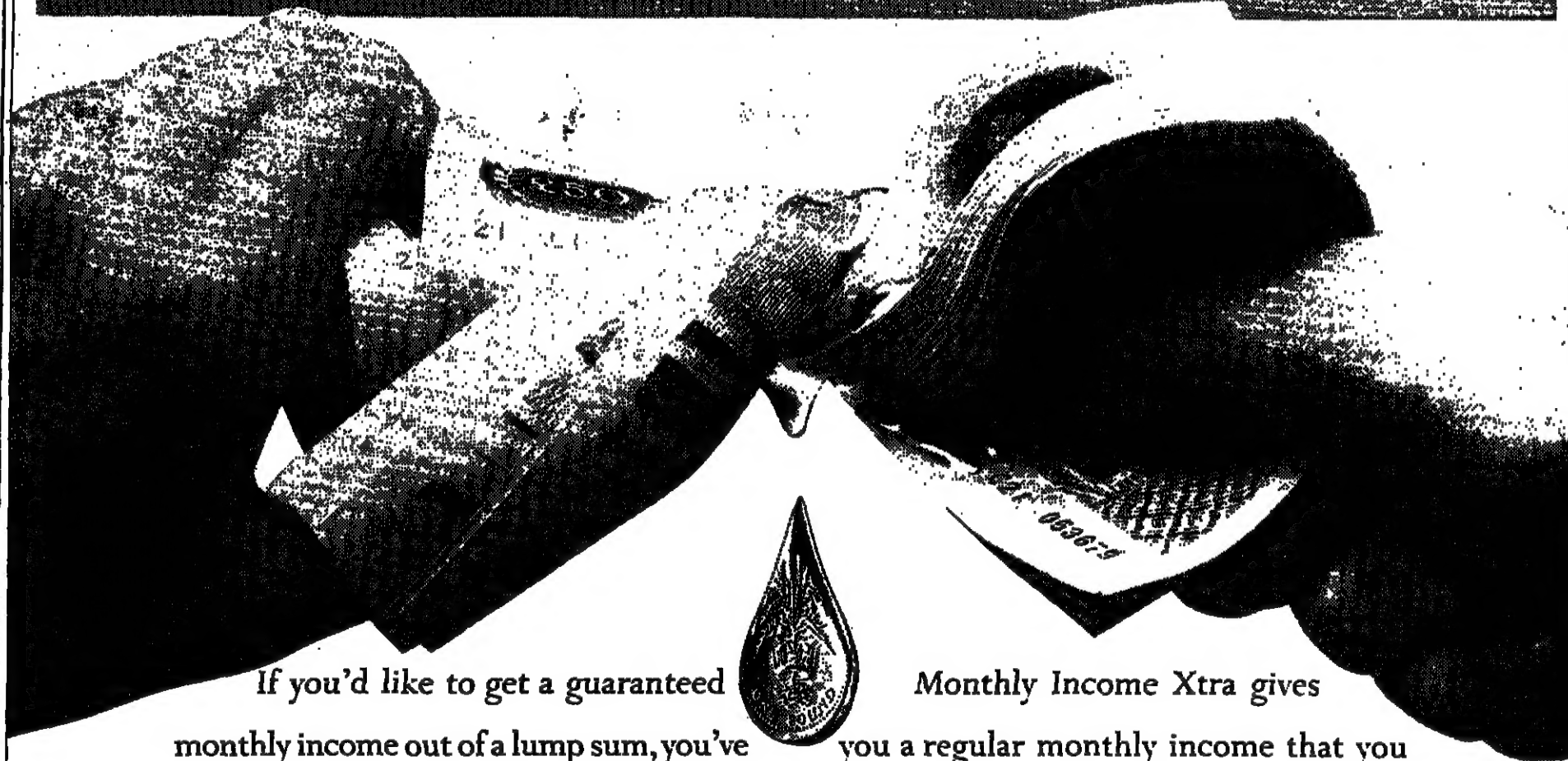
Dar es Salaam (AFP) — President Mwinyi of Tanzania has asked the Government to resign so that he can reshuffle his Cabinet.

Setting sons

Tokyo (AFP) — If Japan's current birth rate continues, the country will be reduced to 45,000 people in a millennium and then disappear, an official study predicts.

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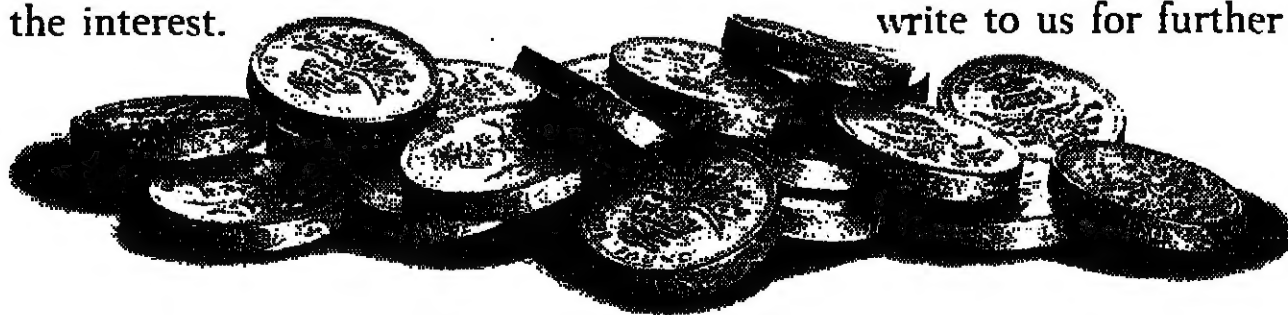
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US report sees Britain as 'outsider' in the new order

From Peter Stothard
US Editor, Washington

Britain will be increasingly excluded from the new Europe of the year 2000, according to a controversial United States intelligence report to be presented to NATO military chiefs next week.

The report, which has the support of both the Central Intelligence Agency and Pentagon planning departments, divides continental Europe into three economic zones and leaves Britain and Portugal as outsiders in which US forces can be based. It suggests that Britain may join a new, smaller North Atlantic group with the US and Canada.

The recently completed study by the top Defence Department sovietologist, Mr Philip Petersen, is officially billed as

Moscow's perspective of how Europe should progress. But as it circulates in Washington it is seen as an important weapon in the bureaucratic infighting about the future direction of overall US defence policy.

Mr Petersen, who is a former Defence Intelligence Agency analyst, strongly supports the view of the collapsing Soviet threat which the CIA chief, Judge William Webster, outlined last week.

The US Defence Secretary, Mr Richard Cheney, argues the opposite case, that the instability in the highly armed Soviet empire makes the threat still very severe.

Europe's new economic zones are predicted in the report to become dominant in assuring the continent's security. Mr Petersen envisages a South-

ern grouping of Czechoslovakia, a reunited Austria-Hungary, Yugoslavia and Italy as a counterweight to German domination of the Central group, including Spain, France and the Benelux states.

A Northern group will be made up of Norway, Sweden, Finland, Denmark and the newly liberated Baltic states.

The European Community remains in place but its membership is increased to include all the nations of Eastern Europe — and thereby diluted as a political force. The Soviet Union and Turkey are projected to have associate EC membership.

Britain gets short shrift in the analysis, rating only two references in some two dozen pages. "So long as Great Britain, Italy and Portugal are willing to host limited American forces, the US domes-

tic consensus on keeping American forces in Western Europe should be possible to maintain," he writes.

In contrast to the Pentagon's top military planners, Mr Petersen does not envisage US troops remaining in West Germany. He thinks that Belgian, Dutch and French troops will be able to remain.

The report from within his own department comes at an embarrassing time for Mr Cheney, who is beginning to appear isolated in his campaign to protect his budget. Its central message is that the Soviet empire is collapsing, that its armed forces are losing control, and that the process of reducing military confrontation is irreversible.

"The ability to employ the Soviet armed forces to maintain the federation of the USSR is rapidly evaporating in the

face of the growing anti-army propaganda and the inactivity and sometimes connivance on the part of party and Soviet organs with the people's fronts," runs the conclusion.

The report predicts that only Russia and Belorussia are sure to remain under Moscow's rule; also that the Kuril Islands will be handed back to Japan.

Mr Petersen, who is Assistant for Europe and the Soviet Union in the Pentagon's policy planning department, has spent the past three months attempting to gain a consensus around at least three drafts of his document, entitled "The emerging Soviet vision of European security".

He has held extensive discussions with senior Soviet military planners and concludes that President Gorbachev has

given up trying to prevent a reunited Germany from remaining within Nato. The new economic and security zones constitute a Soviet fall-back position for containing German influence.

The report will be presented to Nato ambassadors and military chiefs in Brussels next week. It has already, however, aroused suspicion and irritation in more conservative parts of the Administration.

As one official put it yesterday, "it is impossible to draw neat lines around the nations of Europe, even if some Soviets and Americans would like to. The only sure thing you can say about the Soviet border states is that almost anything can happen. The sure thing you can say about the Soviet Union is that it is still massively nuclear-armed."

Lithuania faces price of freedom as problems arise on economic and military fronts

Chilly winds of market realities begin to blow

By Daniel Treisman

Lithuania's declaration of independence gives rise to a great many urgent economic questions. The republic is the first to try to break free from the tight embrace of the highly integrated Soviet economy.

President Gorbachev, in a bid to head off the separatist threat, has said he will demand billions of roubles in compensation for industries built up under Soviet rule.

Even if such claims are not pursued, however, the Lithuanians will be at a disadvantage in rebasing their trade on world market prices after the relatively sheltered commerce they have enjoyed with their Soviet neighbours.

Lithuania buys practically all its fuel and raw materials from the other Soviet republics at prices far below world levels; in return, it sells manufactured goods and farm products to them.

Its industries, including shipbuilding, chemicals, electronics, paper and knitwear, were built up mainly after 1940. Its chief agricultural products are grain, potatoes, sugarbeet, meat and milk.

The Balts pay about half the world market price for copper and about one-seventh for steel, according to figures provided by Dr Philip Hanson, a leading expert on the Soviet economy, in a report for Radio Liberty.

Arguing against secession, the Kremlin has repeatedly emphasized the economic interdependence of the republics and the favourable internal terms of trade.

During President Gorbachev's visit to Lithuania in January, Mr Algirdas Brazauskas, the republic's Communist Party leader, revealed that, while the Lithuanians now pay 34 roubles a ton (nominal £24) for Soviet oil, they would have to pay nearly twice elsewhere.

"You get independence and switch to world prices, and you'll end up in the soup," Mr Gorbachev said in Vilnius.

Dr Hanson suggests that switching to world market prices would cost the Baltic republics about 10 per cent of their GNP, but this does not take into account hard-currency earnings from ports, ferries and tourism which have in the past been mainly retained by Moscow and which now might become the subject of negotiations.

The Balts might lease military bases to Moscow and



Liberty's banner: A worker raising the new Lithuanian flag at the supreme council in Vilnius.

charge tolls or fees on cargo passing through such ports as Klaipeda on the way to Russian destinations.

And, in any case, the Baltic advantage in terms of trade with other republics was set to

diminish when internal wholesale prices are revised in a reform promised for 1991.

Much will also depend on the amount of foreign aid offered to Lithuania after independence.

Police hunt for army deserters

From Anatol Lieven, Vilnius

Lithuanians serving in the Soviet Army have begun deserting and returning home, and Soviet military police are pursuing them across the border, according to a statement to the supreme council in Vilnius yesterday.

Mr Vladas Shadreyka, chairman of the Lawyers' Union, and head of the commission on military questions of the former supreme soviet, gave no figures for desertion. It has been officially stated that there are around 50,000 Lithuanians in the Soviet Army. His phone was jammed all night by anxious parents whose sons had left units.

The supreme council appointed a committee to draft the response on this, which raises the question of the status here of the Soviet legal code and the Army. It is hoped a bill of immunity for "deserters" can be prepared soon.

On the surface, Sunday's declaration of independence had changed little in Vilnius yesterday. The huge statue of Lenin still dominated the square named after him; the police were in Soviet uniform — and may or may not be subject to Soviet orders. Groups of Soviet soldiers, without weapons, were still seen on the streets.

There is little feeling of public excitement. The Lithuanians are not by nature a demonstrative people, and a

day of high winds and icy rain did not encourage them to linger on the streets. A few rumours were circulating — one that, at a meeting of the Politburo in Moscow, "only Gorbachev was against sending in the tanks".

There was no great surprise on the streets or in the supreme council at President Gorbachev's suggestion of forming government committees to review the Lithuanian question. In the Supreme Council in Vilnius yesterday, most leaders had not heard of Mr Gorbachev's statement, and emphasized they would in no case accept any decisions taken by the Parliament in Moscow.

Mr Kazimeras Motieka, one of the deputies to the new President, Dr Vytautas Landsbergis, said: "We ourselves want Mr Gorbachev to form commissions to discuss our decisions with us".

There is still some disagreement among deputies here about whether Lithuanian delegates to the Congress of People's Deputies in Moscow should continue to take part in debates, or should even remain in the city. On Sunday night the new President of the Supreme Council in Vilnius, headed by President Landsbergis, sent a telegram to Professor Vytautas Statulevicius, the head of the Lithuanian group of deputies at the Congress, instructing them to

withdraw. Professor Statulevicius did not take his place in the Presidium of the Congress yesterday morning.

Another letter to the Soviet Government, due to be debated by the supreme council in Vilnius yesterday, dealt in more detail with the military issue. It says that Soviet units in Lithuania can remain pending negotiations, but must not carry out manoeuvres or be reinforced without Lithuanian permission. It also asks that

Moscow (AFP) — Leaders of Rukh, the Ukrainian nationalist movement, want the creation of a party to seek independence, a Radio Moscow publication reported yesterday. *Interfax* said the leaders justified the proposal because the Soviet Communist Party had failed to ensure ethnic and social equality.

Lithuanian conscripts should be returned in safety.

A draft letter to Mr Nikolai Ryzhkov, the Soviet Prime Minister, suggested that "until relations between Lithuania and the Soviet Union are determined by bilateral treaty, we should continue to be guided by existing economic commitments and links".

The supreme council also debated appeals for support to the international community, the Lithuanian people, and the peoples of the Soviet Union.

Dr Landsbergis began yesterday's session by reading out the statement of support by Mr Martin Fitzwater, the US White House spokesman. He also read a telegram of support from the Australian Government, and said that M Roland Dumas, the French Foreign Minister, had met leaders of the Lithuanian community in France.

No deputies yesterday had any firm suggestions about how Lithuania should move to ensure its authority over the police. Last week Mr Edmundas Baltinas, the deputy chief of the Lithuanian KGB, said the organization was responsible to the Lithuanian Government, but also said "it is the aim of the KGB to ensure the stability of the political situation", and announced the formation of a "unit for the protection of the constitutional order".

There is no evidence as yet of increased strain between Lithuanians and Soviet soldiers in Lithuania. Men from the Vilnius garrison said they knew very little about the political situation in Lithuania — which is not surprising, given the paucity of information in the Russian press and television. They said they found the Lithuanians generally cold towards them, but they had suffered no extreme unpleasantness.

Leading article, page 15

US withholds recognition from Vilnius

By Martin Fletcher in Washington and Andrew McEwen, Diplomatic Editor

The White House yesterday praised Lithuania's bid for independence, but refused formally to recognize the newly proclaimed government until talks are held between Vilnius and Moscow.

Mr Martin Fitzwater, the White House spokesman, said the United States has never recognized the 1940 incorporation of Lithuania into the Soviet Union, but also said Washington would not grant immediate diplomatic status to Lithuania.

Mr Fitzwater called on Moscow to respect Lithuania's declaration of independence, and to enter into "immediate constructive negotiations" with the breakaway state.

He noted that the United States had "consistently supported the Baltic people's

inalienable right to peaceful self-determination", but he conspicuously stopped short of explicitly recognizing the new Government, a significant stance which was echoed by the State Department.

Britain reacted cautiously and did not say it would recognize the state.

Mr William Waldegrave, Minister of State at the Foreign Office, made it clear that British recognition would depend on Lithuania achieving real independence. "I think there will be some way to go in negotiation (between the Lithuanians and Moscow) before we have a truly independent state, if that is what the outcome is," he said on the BBC radio programme, *The World At One*.

If the Lithuanian Govern-

ment asked for recognition, Britain would have to refuse at present. "I think as of today we would probably have to say no, because although... we all welcome the steps that have been taken there it isn't yet... a genuine, separate, independent state..."

A Foreign Office statement welcomed the increasing freedom of the Baltic peoples to decide their own future and the apparent willingness of the Soviet authorities to accept the possibility of Baltic self-determination leading to independence. "We hope that there will now be discussions which will lead to an agreed outcome," it said.

Both the interview and the statement avoided making the assumption that talks would lead to independence. Brit-

ain's caution was clearly intended to avoid displeasing Moscow.

The caution of the American statement reflected the delicate situation in which Washington now finds itself.

The United States has never recognized the Soviet Union's forcible annexation of Lithuania, Estonia and Latvia in 1940. Administration officials are acutely aware, however, that Lithuania's action could trigger a chain reaction which would break up the Soviet empire and threaten President Gorbachev's position.

They believe that Mr Gorbachev will ultimately give Lithuania its freedom, and therefore see no mileage in issuing ringing statements of support for Lithuanian independence.

An army with no particular place to go

By Michael Evans
Defence Correspondent

Nato officials are beginning to address one of the most complex questions facing Europe: What to do with the 350,000 Soviet troops stationed in a unified Germany.

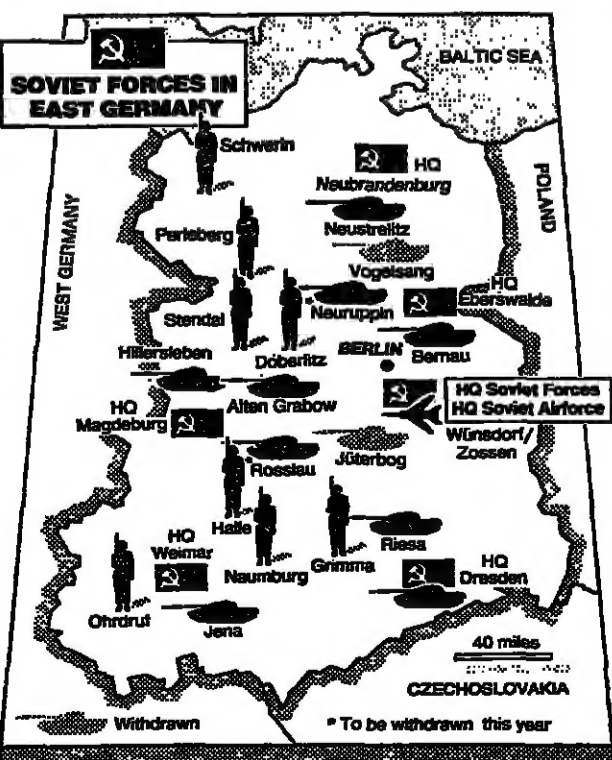
Until an answer can be found that is satisfactory to Moscow and Bonn and, to a lesser extent, the Nato allies, the 30-odd Soviet garrisons throughout East Germany will remain at best an embarrassing anachronism and at worst a hostage to fortune.

Last week at the Nato Council meeting in Brussels, officials began to ask the kind of questions that a few months ago had not seemed remotely relevant.

If Soviet troops remain in the eastern sector of Germany over the next few years, what will be their function and their legal status? What rights will they have in a unified Germany? Will ground and air training have to be restricted and what weapons will they be allowed to keep?

Will their continued presence be solely in the security interests of the Soviet Union or will the troops be confined to barracks as a force for stability in a fast-changing landscape? Or will they merely be regarded as an army waiting to go home.

The West accepts that, for political and bureaucratic reasons, Soviet troops will have to stay in the eastern sector of Germany for a transitional period after reunification. The Soviet General Staff simply cannot cope with another 350,000 soldiers on its hands;



there is nowhere for them to live. The generals want time to organize a dignified retreat.

The only formal provision so far for reducing the huge Soviet military presence in Central Europe is contained in the draft treaty at the Conventional Forces in Europe (CFE) talks in Vienna. Under CFE, Soviet troop numbers would be set at 195,000, most of them in East Germany.

Now Nato officials are studying options for change based on four assumptions:

that a unified Germany will not be neutral — and, according to Nato sources, Soviet political and military officials have privately accepted this; that a unified Germany will be in Nato; that existing Nato ground forces will not deploy beyond the Elbe; and that, most of all, Soviet troops in East Germany will be gone within a few years.

One senior Nato source said yesterday: "Gorbachev has to find a way of getting his troops out of Germany. To do that he

needs something to bargain with, but he does not have any cards to play. All he can do is make a fuss and leave his troops there for the moment, even though they will become a hostage to fortune."

The Soviet role and status are defined in a secret agreement between the East German Government and Moscow, just as the presence of British troops in West Germany is covered by a Status of Forces Agreement between London and Bonn. In a unified Germany, the British agreement may stand; but there will have to be a new legal status for the Soviet troops agreed between Bonn and Moscow.

Detailed questions about restrictions on Soviet movements in the eastern sector of a unified Germany have not yet been discussed. Nor are they expected to be raised at the preliminary two-plus-four meeting in Bonn tomorrow of officials from the US, Soviet Union, Britain, France and the two Germanies.

According to Nato experts and British diplomatic sources, during the transitional period in which Soviet troops will remain in Germany — and on putative Nato territory — there will need to be agreed restrictions:

■ Low-flying training sorties will be curtailed once the CFE treaty is signed by the end of this year because of the proposed cuts in combat aircraft. But Soviet fighter movements in eastern Germany will have to be strictly regulated.

Nato aircraft sorties in West Germany are regulated al-

ready by agreement with Bonn. After unification, it is possible that Western combat aircraft could be permitted to fly into Germany's eastern sector air space, but not over the Soviet-occupied regions.

■ Certain Soviet weapons might have to be prohibited. One British diplomatic source said: "In a unified Germany we do not want Soviet forces that have demonstrably aggressive potential."

These would have to include nuclear and chemical weapons. The Soviet Union says that it does not have to have any chemical weapons in Eastern Europe, but short-range nuclear systems are deployed with Soviet divisions in East Germany.

■ It may be necessary to designate certain parts of the eastern sector of Germany as self-contained training areas for Soviet troops. At present huge tracts of land are used for military exercises. The zones would need to be restricted, but this would be a matter for Bonn and Moscow to resolve.

As the Soviet forces in East Germany are run down, the cost of the garrisons will have to be met by Moscow. At present East Germany pays the bulk of the bill.

Whatever is agreed, it is likely that once the German people get used to living in a single fatherland again they will start calling for the total withdrawal of Soviet troops.

By this time next year the slogan "Russians go home" may well be a familiar cry, increasing pressure on Mr Gorbachev to accelerate the withdrawal of Soviet troops.

Leipzig calls a halt to the marches of its 'heroes'

From Anne McElvey, Leipzig

The streets of Leipzig echoed last night to the familiar chants of "Germany one fatherland" and "we are one people" as thousands of demonstrators gathered for the last time to mark the passing of a chapter in East German history.

Earlier the weekly prayers for peace at the Nicholas church, from which the demonstration originally grew, had attracted a separate and quieter crowd in a thanksgiving service for the new democracy in East Germany.

With the country's first free elections taking place on Sunday, the church has called an end to the Monday demonstrations and the pro-unity crowds who have recently dominated it now have their goal in sight and seem inclined to agree with the move.

Last night neither group acknowledged the other, one clearly absorbed in their memories, the other intent on their future. They are the two faces of the demonstration which earned the gritty Saxony town the name "City of Heroes", the home of the protests which forced change throughout the country that their organizers once thought impossible.

What began last May as the protest of a brave handful against the obviously falsified election results ended yesterday with the election campaign in Leipzig in full swing.

Father Christian Fühner, who has led the weekly prayers

since 1982, spoke to a packed church last night of "our great triumph over fear".

He said: "We have achieved things beyond our wildest dreams. We have free elections, an alternative to military service, and our children are no longer taught to hate an enemy defined by class in our schools."

The country's 40th anniversary celebrations last October

Unity progress

Bonn — Britain is "astounded" by the way that progress to German unity is proceeding and wants it to happen as soon as is practical, Mr Douglas Hurd, the Foreign Secretary, said yesterday (Jan Murray writes). He emerged from talks with Herr Helmut Kohl, the West German Chancellor, and Herr Hans-Dietrich Genscher, the Foreign Minister, happy the main issues were being "usefully discussed". According to Mr Hurd, this means that Poland will have to be involved in talks about its borders.

At the height of the mass exodus of East Germans to the West brought hundreds of thousands to the streets of Leipzig in protest while other cities still hung back fearing a brutal suppression.

On the evening of the state celebrations the then leader, Herr Erich Honecker, brought

troops into the city with orders to fire on demonstrators.

The massacre was averted by a warning from Herr Kurt Masur, the conductor of the city's famous Gewandhaus orchestra, and from Herr Honecker's successor as leader, Herr Egon Krenz.

Herr Fühner looks back to the October days when the protesters stopped clamouring to join the exodus and instead took up the shouts: "We are staying here" and "We are the people".

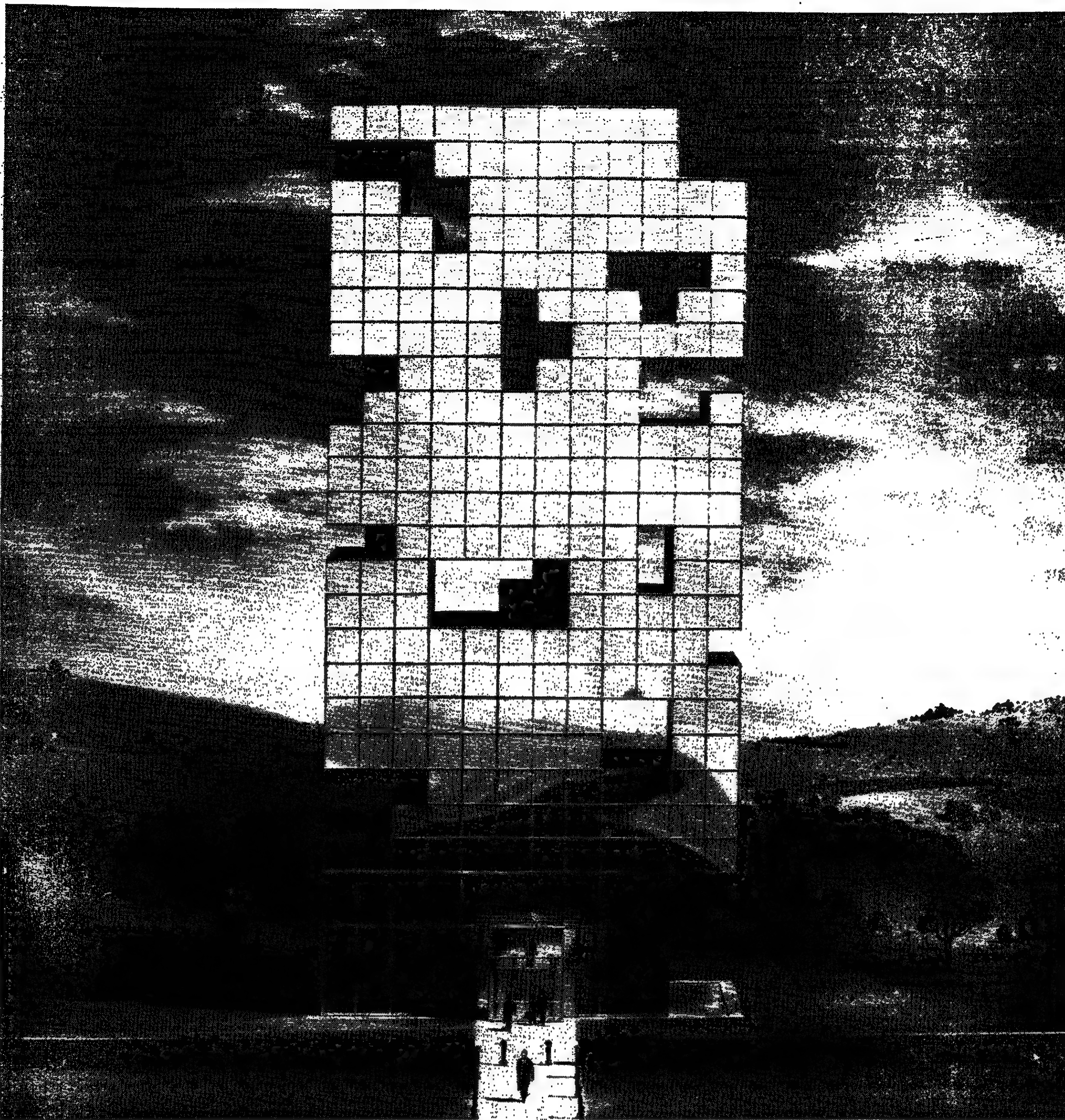
A month later the first cries for unification began to gather strength and pressure on the Government emanated once again from Leipzig.

Like most of the turbulent priests who led the early demands for change, Herr Fühner is unhappy at the growing nationalism and the fierce pro-unity sentiments aired at recent demonstrations.

Last week even conservative candidates were booed from the platform by extreme right-wingers in the crowd.

"We are in danger of replacing an old intolerance with a new one," he said.

While the prime movers of the November revolution prayed inside the church last night, the crowds gathered on the square outside unfurled giant banners, many showing the map of Germany in the borders of 1937. Others chanted: "Hang the Red rats."



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PARLIAMENT

House united in horror at death sentence

Government and Opposition MPs united in condemning the death sentence passed on Mr Farzad Bazoft, the journalist, and the 15-year prison sentence passed on Mrs Daphne Parish, a British nurse, by an Iraqi court.

Mr William Waldegrave, Minister of State for Foreign and Commonwealth Affairs, said that the sentences were out of all proportion to any offence that may have been committed. In particular, the Government deplored the death sentence passed on Mr Bazoft.

"Before the trial opened last Thursday, we had made over 50 separate representations to the Iraqi authorities making clear our concern for the wellbeing of Mrs Parish and Mr Bazoft. Our major concern at that stage was to try to secure a fair trial for Mrs Parish and Mr Bazoft."

"In addition to this constant pressure on the Iraqi authorities, the Prime Minister wrote to President Saddam Hussein on February 21 before the trial took place, to express her concern about the two cases."

President Saddam Hussein replied to the Prime Minister on February 28 assuring her that the trial would be a fair one. From the account we have received, it is clear that no evidence was presented which would justify such harsh and disproportionate sentences.

"Our immediate aim is to save the life of Mr Bazoft and to secure a review of the sentence imposed on Mrs Parish."

"As soon as the outcome of the trial was known on Saturday, the Prime Minister wrote again to President Saddam Hussein asking for both sentences to be reduced on humanitarian grounds. At the same time, we summoned the Iraqi Ambassador and made clear to him the Government's reaction."

"We have asked our friends and allies in the Middle East and elsewhere to approach the Iraqi Government and support our call for clemency. The European Community has already taken action. The Irish, Spanish and Italian ambassadors in Baghdad, on behalf of the Twelve, delivered a message to the Iraqi

FOREIGN OFFICE

authorities urging them to reconsider the sentences.

"In all this, we should not forget the plight of Mr Ian Richter, another British prisoner serving an unjustifiably harsh sentence in a Baghdad prison."

"Iraq has shown herself recently to be concerned about what she would call the misrepresentation of her policies abroad. She can be in no doubt about the damage which would be done to her standing in the world, let alone her relations with the United Kingdom, if these unacceptable sentences were to be confirmed."

Mr Gerald Kaufman, chief Opposition spokesman on foreign and Commonwealth affairs, who had asked for a statement, said that the Government would have the full support of the Opposition in taking action to secure the release of Mr Bazoft and Mrs Parish. The Opposition also regarded the sentences passed as unacceptable, having been imposed after a secret trial and a staged confession.

The Opposition welcomed the action taken so far by the Government and the European Community and welcomed also the support of King Hussein of Jordan.

He urged the Government and the community partners, individually as well as collectively, to make representations to the Iraqi Government, particularly, should have a special status with Baghdad after the help it gave Iraq in the Gulf war.

Had the Government been in touch with the League of Arab States, because it would be valuable to have their support, particularly Kuwait and Saudi Arabia whose close relationship with Iraq would be important?

The Government should also make clear that, despite serious misgivings about basic aspects of Iraqi policy, both sides of the House were active in seeking to improve United Kingdom relations with Iraq and wished that improvement to continue.

"But will he make equally clear that if Mr Bazoft were to be

executed, that would inevitably have a most damaging impact on our bilateral relations, both diplomatic and in trade terms and in particular in terms of financial credits?"

"How many British businessmen, for example, would be ready to visit a country where they might be arrested on trumped-up spying charges and face the death penalty?"

There were also serious implications for journalists' freedom and serious implications for human rights.

"In whatever further approaches the Government make to the Iraqi Government on behalf of Mr Bazoft and Mrs Parish, will it make clear that it speaks on behalf of a completely united House of Commons?"

Mr Waldegrave: On occasions like this unity of the House is important and I am grateful to Mr Kaufman and his colleagues.

The Government had made a number of contacts in the Middle East with multilateral organizations and individual countries. The suggestions made by Mr Kaufman would be followed up.

Iraq should consider the inevitable response, not only in the United Kingdom, but elsewhere if the death sentence were passed with it. The Government did not wish in any way to disguise its horror at the death sentence.

The Government hoped that, even at this late hour, President Hussein would heed the calls for clemency from the United Kingdom and the rest of the world community.

Mr Ian Gow (Epsom, C) asked whether the British Ambassador had been represented at the trial and had a transcript of the proceedings shown any evidence that the trial had been in any way a fair one?

Mr Waldegrave said that the consul general had been present at the trial. No transcript had been received, but the Government had received an account from the consul general.

"I would make a distinction between the Revolutionary Court in Baghdad and the normal courts. The normal courts of the country would be relatively familiar to this House. The Revolu-

tionary Court proceedings are more secretive and there is no formal appeal against its decisions."

"That is why we have appealed to the President for clemency. In terms of any trial that this House would recognize, we would not be happy to describe the proceedings of the court as a fair trial."

Sir Russell Johnston, a Liberal Democrat spokesman on foreign affairs, cited a radio interview in which an Iraqi official had said he hoped that relations between Britain and Iraq would not be affected adversely by "this small matter".

That chilling statement clearly indicated that the gentleman did not understand press freedom or human rights.

Mr Waldegrave said that he shared the anxiety when people talked in such a way about human rights. The House must get it across to Iraq that these were not small matters.

"They are very major matters for us. Iraq must understand that we attach immense value to human rights and to the protection of our citizens or those travelling in our name."

Mr Andrew Farnham (Warley East, Lab) said that those who had long been friends of the Arab world found the sentences and the conduct of the court "very disturbing". They would all urge the President of Iraq to use his powers of clemency.

Mr Waldegrave said that there had been a statement today from an Iraqi minister saying that the pressure brought to bear represented some sort of intervention in Iraqi affairs. It was perfectly in order for petitions for clemency to go to the President.

Mr Matthew Carrington (Fulham, C) said that the only way to finding a solution to this terrible problem was through diplomatic pressure. However, genuine some MPs's revulsion, this was not a time to malign the regime.

Mr David Winnick (Walsall North, Lab) said that Iraq had one of the worst records on repression and denial of human rights.

In this killing took place, courts of public opinion would expect stern action from the Government.



Mr Michael Howard, Employment Secretary (left), in Whitechapel, east London, yesterday, to mark the Training and Enterprise Council's first anniversary and the award of funding to the London East TEC. He is with Mr David Dickinson, head of London East.

House of Fraser case

Evidence 'was hearsay'

Evidence taken by Department of Trade and Industry inspectors investigating the acquisition of the House of Fraser by the Al Fayed brothers was not sufficient to secure conviction by a jury, Sir Patrick Mayhew, Attorney General, said at a question time.

The inspectors had been able to take evidence based on hearsay, if they thought it reliable, Sir Patrick said. They could take account of wider matters than in a criminal case.

Mr Dennis Skinner (Bolton, Lab) opened the exchanges by asking the Attorney General to draw the attention of the Director of Public Prosecutions to the House of Fraser report and to ask him when the two Al Fayed brothers were to be brought before the British law courts.

In view of the report, they should be treated in the same kind of justice as other people.

"Millions among the electorate are asking why they should pay poll tax and observe the law of the land when City crooks can get away with it."

Was there any law for the Al Fayed brothers and another for other people?

Sir Patrick said that there was no need for him to draw the attention of the DPP or to ask him when the two Al Fayed brothers were to be brought before the British law courts.

LAW OFFICERS

that police investigation was to secure the best assurance of investigating these matters with a view to prosecuting — if that was appropriate — to a successful conclusion.

"That was the reason for putting the police investigation in place and asking the Secretary of State (for Trade and Industry) to withhold publication of the report."

"I of course agree with what Mr Skinner said, that the same law applies to the Al Fayed brothers as to everyone else."

Mr Skinner: Yes let them get away with it.

Sir Patrick: I assume that if Mr Skinner asks the question, he wants the answer, instead of interrupting, but I suppose that is naive.

There is this distinction, and it is very important, and which I wish to make clear, that, whereas it was open to inspectors to take account of evidence that was hearsay, if they thought it reliable, and of course open to them to reach the conclusion that they did, it would not have been open to a jury to have convicted people in criminal cases on evidence of the same character. The inspectors were able to take account of matters of a wider scope than in a criminal case.

The reason they investigated

C: Unsatisfactory as this whole matter really is, taking action that is totally ineffectual and does more harm than taking action at all.

The worst conclusion would be to take action which was a complete failure.

What the inspectors had said was clear and unambiguous, but it would not stand up in a court of law because it was based on hearsay and was inadmissible.

Sir Patrick said that Mr Lawrence was right.

"Inquiries were pursued in every part of the world indicated by the inspectors' report."

As Mr Nicholas Ridley, Secretary of State for Trade and Industry, had said in his statement on March 1, insufficient evidence had been available for use in an English court, in English criminal proceedings.

The same criteria had applied in this case as in every other. Mr John Fraser, an Opposition spokesman on legal affairs, suggested that if section 151 of the Companies Act, 1985, now in force, had been in force at the time, there would have been a *prima facie* case.

Sir Patrick said that there had been substantial improvement in the precautions that could now be taken in the light of the Criminal Justice Act, 1988. The Criminal Justice (International Co-operation) Bill would make it easier for a court to ask for evidence from overseas.

Letters, page 15

Report 'locked up in library'

The Commons library has locked up a copy of the unpublished Church of England report into homosexuality placed there by a Labour MP.

Mr Brian Sedgmore (Hackney South and Shoreditch, Lab) said that he had obtained the copy and the library had accepted it. He had been instructed to find out by letter from the librarian this morning that, on examining the document, he had locked it in a cabinet pending clarification of its status.

The Speaker (Mr Bernard Weatherill) said that the document had not been published. It was in effect, stolen property. It was not considered appropriate that the library should accept it.

Safety plan for railway

Discussions are taking place about merging the Railway Inspectorate with the Health and Safety Executive, Mr Cecil Parkinson, Secretary of State for Transport, told MPs at question time.

He said that, while the Government did not own other industries for which it had safety responsibilities, it did own the railways.

"Therefore, we think there is a case for transferring this responsibility to the Health and Safety Executive. That is what we are discussing at the moment."

Rolling stock 40 weeks late

Delivery of new railway rolling stock was 40 weeks late, Mr Cecil Parkinson, Secretary of State for Transport, said at question time in response to complaints of overcrowding and short trains in the north of England.

He said that the delay had been built up before the privatization of British Railways Engineering Ltd (BREL) since when the position had improved slightly. "We recognize the problem. It is being dealt with."

Filthy trains

Mr Michael Portillo, Minister for Public Transport, promised to look into complaints from a Conservative MP about trains on the Metropolitan Line of the London Underground.

Mr Hugh Dykes (Harrow East, C) said that the "filthy, unswept, hunched, clapped-out, old-fashioned, graffiti-swamped rolling stock" was unacceptable to long-suffering commuters.

Parliament today

Commons (2.30): Questions: Employment; Prime Minister; National Health Service and Community Care Bill, report, first day. Lords (2.30): Coal Industry Bill, third reading. Human Fertilisation and Embryology Bill, report, second day.

Student loan move defeated in Lords

An attempt to delay the introduction of the student loan scheme for a year was defeated in the House of Lords during the committee stage of the Education (Student Loans) Bill. An amendment moved by Lord Jenkins of Hillhead, leader of the Liberal Democrat peers, was rejected by 137 votes to 118 — Government majority, 19.

However, the detailed proposals for the operation of the scheme will be automatically open to scrutiny in Parliament during its first year, the Earl of Caithness, Paymaster General, said.

He accepted in principle a group of amendments by Lady Young (C) to ensure that when the Government's detailed plans are produced, they will be dealt with under the affirmative

procedure, which makes scrutiny automatic, as opposed to the negative procedure where they would be debated only if there were objections to them in Parliament.

Lady Young said that as the Bill stood, there would not be any parliamentary scrutiny of the way that the scheme would be run, including the financial terms for loans, the amount of loans, the repayment period and arrangements for deferment of repayment.

After the first year, the regulations would be subject to the negative procedure, as planned at present.

She accepted the principles of the Bill, but her proposals would reassure those in universities who were concerned at lack of scrutiny.

Judges 'will never admit their error'

However much new evidence was brought to light in the case of the Birmingham Six, the judges would never own up to making a mistake, Mr Christopher Mullin (Sunderland South, Lab) said during questions to the Attorney General.

Sir Patrick Mayhew said that he rejected with force that judges would be unwilling or unable to admit to a mistake when one arose.

Mr Mullin said that only way out was for the Director of Public Prosecutions to ask for the convictions to be quashed, in the same way as in the Guildford Four case, in such terms as allowed the judges no discretion.

At previous question times, when he had suggested that the people in the Guildford case

were innocent, the Attorney General had poked fun at him. Sir Patrick should inject a note of humility into his reply (Lab-our cheers).

Sir Patrick said that any decision on whether the case of the Birmingham Six should be referred again to the Court of Appeal was for the Home Secretary (Mr David Waddington). Mr Waddington had said in the House that if further matters were brought to his attention, which suggested serious investigation, they would be pursued.

Mr Waddington was already considering matters brought to his attention by a solicitor on behalf of some of those men. "We do not set aside convictions in this country by executive action."

Security forces 'must have support'

The security forces in Northern Ireland deserved the full support of decent people for the part they had taken against terrorism and for striving to bring stability to the province, Mr Peter Brooke, Secretary of State for Northern Ireland, said in the Commons.

Moving the Northern Ireland (Emergency Provisions) (Continuance) Order, which continues in force for a further year the temporary provisions of the Northern Ireland (Emergency Provisions) Acts, 1978 and 1987, he said that the Government had a responsibility to ensure that the police and armed forces had the support and resources they required to undertake their difficult and dangerous work.

The chief aim of the Government's security policy was the creation of a peaceful and prosperous society, and an end to terrorism from whichever side of the community it came.

The Emergency Provisions Acts provided the extra powers the police and armed forces still required to stop and question and to search for, and to seize terrorist material.

Terrorism, republican or "loyalist",

continued in Northern Ireland, Britain and the European mainland.

Statistics indicated, however, that there was a welcome improvement in the terrorist situation in Northern Ireland. There was no consolation, however, in the loss of 62 lives last year, and 300 injuries. Last year, nine members of the RUC lost their lives.

Paying tribute to the security forces, he said: "Without their commitment, professionalism and courage the levels of violence would have been immeasurably higher." Much of their work was unglamorous and routine, but they continued to bear down remorselessly on terrorist organizations.

"The eradication of terrorism, green or orange, remains the Government's top priority in Northern Ireland. There is no acceptable level of murder."

He added: "Let there be no doubt on this point: terrorism will never prevail."

That was why the police and armed forces would continue to receive the support of the Government for as long as it took.

It was the Government's view that the present climate of political realism offered some hope of a constructive

NORTHERN IRELAND

political dialogue. There was some common ground between parties that would allow them to engage in political dialogue. However, the situation was fragile and delicate. It would be foolish to pretend otherwise.

Terrorism continued at a high level and remained the dominant social problem. "It is the Government's wish to create a better, more prosperous future in which the people of Northern Ireland can make decisions about their own future freely, without coercion and the threat of violence."

"Eradicating terrorism of all kinds will, therefore, remain the central theme of our policy as long as is necessary. To that end, the courts, the police and the armed forces must continue to have at their disposal all the legal resources they need."

Mr Kevin McNamara, chief Opposition spokesman on Northern Ireland, said that the Opposition believed, with Lord Colville, [who had reported on the use of the emergency Acts] that the use

of excessive force in the prevention of crime for self-defence should be capable of amounting to manslaughter.

The prospect of debating the renewal of the legislation was a sad one after 20 years.

The Opposition would vote against renewal, not because it did not accept that the situation in Northern Ireland at present was abnormal and called for special measures, but because the Government had responded to the special measures to improve the situation suggested by the Labour Party, and by Lord Colville.

The Rev Ian Paisley (North Antrim, DUP) said that the root of the matter in Northern Ireland was the territorial claim by the Irish Republic that it was the legitimate ruler of Northern Ireland. The IRA could thus take the gun and claim that it was engaged in a legitimate cause.

The Lord Chief Justice of the Irish Republic had said that it was the legitimate duty of the Government of the republic to do everything in its power to oust the Government of Northern Ireland and establish its rule over the whole of Ireland.

Patten warns voters of the invaders

By Richard Ford, Political Correspondent

Voters of Mid-Staffordshire were warned yesterday by Mr Patten, the Labour leader's wife, to be on guard against an invading horde about to descend into their midst.

The "public warnings" were delivered by Mr John Patten, a Minister of State at the Home Office, who urged people to be on guard against the "invaders".

"Very unpleasant and malevolent people are going to come to try to cause as much trouble as possible for the people of Rugeley and Lichfield," he said.

Raising the spectre of violence, Mr Patten said the outsiders were not to cause mayhem and havoc.

Who could be possibly mean? By-elections bring all sorts of politicians on to the campaign trail but surely he wasn't expecting the arrival last night of Mr Cecil Parkinson, Secretary of State for Transport, to be the harbinger of such turmoil.

Nor could he have been speaking of Mrs Glensy Kin-

nock, the Labour leader's wife.

The nearest her visit came to causing trouble was when a toddler, oblivious to the pressing need of a photo opportunity at a school for children with learning difficulties, as a Home Office minister, the great cost to Staffordshire police."

In an attempt to ensure that the Militant involvement in poll tax demonstrations is stuck firmly on the Labour Party, Mr Patten demanded that the Leader of the Opposition should remove the party whip from the 20 to 30 MPs who have said they will refuse to pay the poll tax.

Unfortunately for Mr Patten, his repeated efforts to highlight Militant involvement in the demonstrations proved much less exciting than the problems surrounding the invitation or lack of one to Mr Heseltine.

The reason Mr Heseltine has not yet received his invitation is

nowhere to be organized by Militant and not due to his lack of damage Labour at the same time.

"They are almost all outsiders," he said, "classic rent-a-mob militants. I just dread to think, as a Home Office minister, the great cost to Staffordshire police."

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plain why Mr Heseltine had not yet received an invitation. Mr Howarth said Mr Heseltine had been on a list and he had written to Mr Heseltine every Conservative MP asking them to help in the campaign.

The standardized letters, with personal remarks written on them, had been taken to London by hand. Last week he had discovered, however, that one of two of them had not yet been delivered.

"There is no conspiracy. There is no necessity for me to have an invitation already," Mr Howarth said.

Mr Patten said nothing on the delicate subject while, later, the Labour Party's candidate, Mrs Sylvia Heston, contested herself with the comment that it was not really a matter for the Labour Party to decide who should be the leader of the Conservatives.

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The unorthodox traditionalist

THE TIMES
INTERVIEW

Jonathan Sacks, the next Chief Rabbi of Great Britain, came late to his vocation. Barbara Amiel spoke to him

The worst nightmare many of us can imagine is to wake up one morning and find ourselves living under a regime of dogma and orthodoxy — no matter how kindly it is administered. Having laws about how much of one's head hair strangers should be allowed to see and on what days and between which hours we can brush our teeth strikes many people, myself included, as close to a sinister hell.

What has always intrigued me is the sort of person for whom this would be sheer joy. At what moment in their lives would they turn away from liberal individualism and submit themselves to orthodoxy, I wondered. And why? With this in mind, rather like an ornithologist tracking a rare species, I went to see Rabbi Jonathan Sacks, Britain's next Chief Rabbi.

Dr Sacks, who will take over next year from Lord Jakobovits as spiritual leader of nearly three-quarters of those people in Britain who describe themselves as Jews, lives in a modest semi-detached house in Golders Green, London. The furniture is brown, the flat-topped visor is brown, and so are the *décor* grasper walls of the sitting room. Life has been modest indeed for Dr Sacks, who is British-born, and whose roots are to be found in the Commercial Road in London's East End. He read philosophy at Cambridge (double first), taught at Middlesex Polytechnic and came to his vocation late, attending a yeshiva, a school for religious teaching, in London when he was 29. Twelve years later, he has reached the pinnacle of his calling. He describes himself as "a very reluctant Chief Rabbi... I never really saw myself as a better Jew than anyone else. Full stop."

Though there is a lot of chatter about religious divisions in the Jewish community, the substantive division seems to be pretty much a mirror of British political debate. The great tradition of Hampstead liberal Jews seeking to perfect human error through government stewardship does not sit well with the Thatcherite view of individual responsibility held by Lord Jakobovits.

Will Dr Sacks depart from Lord Jakobovits politically? His remarks suggest yes. "Like everyone else," he says, "I think British society has gone too far down the road of the pursuit of self-interest, and that has eroded all sorts of public values."

"This is intriguing. The use of 'like everyone else' to refer to what is still a very contentious issue over how selfish a society we have become, could be taken to refer to the circles in which Dr Sacks moves. I ask him what he means by 'the pursuit of self-

interest". "Do I mean materialism?" he replies. "I think I do, yes."

But the predominant concern for Dr Sacks is not necessarily redistribution of wealth, but rather redistribution of morality. He sees the religious community as the answer to an erosion of values and behaviour in society.

"I mean," he explains, "that there's no way of legislating for the values that Margaret Thatcher would like to see develop in this country, such as philanthropy, self-help, businesses getting involved in job creation. There's no way of creating the ethos that gives rise to those actions by public preachment or government policy."

"I think we may well feel we have reached the limits of liberal individualism, but we don't see the alternatives — and that's the dilemma. I see my answer to the dilemma being the religious community. It has to make certain concessions to a public culture, but those are not concessions that compromise its future. I don't know if I don't believe that religious groups are more likely to come up with an answer to the problem than liberal parties. I believe they are."

I found the answer a little confusing. Then I realized that both the form and content indicated a clear conflict in Dr Sacks which may have to be resolved. He is a secular philosopher by training, and a supremely rational man. At the same time he is drawn to the mystical tradition of the Lubavitcher sect of Judaism, with its fervent belief in an exclusive community and, in my view, ecstatic irrationality. Dr Sacks sees the problem.

"Somebody did a double-headed portrait of me, you know, Rabbi Jonathan and Dr Sacks. I suppose that's the problem. But if somebody like me can't exist, if somebody brought up in a very secular education, coming to Judaism in an intensive way relatively late in life, can't exist, then a whole social group can't exist. So I wrestle with these antinomies and things in my character, and hope that by solving problems for myself I can solve them for others. But I haven't yet reached a state where I can summarize what I believe in nice digestible platitudes, which I'll have to do as Chief Rabbi."

Perhaps a difficulty with people who come late and very intensely to a religious calling is that they tend to see everything rather more fervently than those who have planned their religious careers. They are converts, in a sense, and may fall into the error of projecting their own problems on the world about them.

"In the late Sixties," Dr Sacks told me, "something happened to a lot of us. Did it happen to you?"



The teacher ponders: "Somebody did a double-headed portrait of me — Rabbi Jonathan and Dr Sacks"

'I am very reluctant... I never really saw myself as a better Jew than anyone else'

Around '67, "I wasn't sure what he meant. "I was an undergraduate at Cambridge at the time. After '67 [the time of the Arab-Israeli war], Jews began to articulate their thoughts about the Holocaust, which they'd never done before, because they feared the possibility of a second one when Israel was surrounded. They began to sense the reality of the change that the state of Israel represented. It's amazing how un-Zionist — not Anglo-Jewish community was until then. Israel existed, but it wasn't our focus of being."

"And what happened in Cambridge is that for the first time people started wearing skull caps in the street. I did, and a lot of

others did. It was a very, very emotive few weeks. It was striking for us. It was our decisive moment. Why should we all be so low-profiled as Jews and, you know, so superficial as Jews?"

I did remember the intense feelings many of us who are Jews had when the 1967 war broke out. For myself, I volunteered to serve on an Israeli switchboard, but the war was over so quickly that impatient Israelis were never subjected to having me as their telephone operator. Still, the war didn't change the lives of most of us in the way it seems to have affected Dr Sacks.

The difference, I suppose, is that some people have a tremendous psychological need for a clearly

defined identity in terms of some ethnic, religious or metaphysical construct. Unless they get it crystal clear in their minds just who they are, they simply aren't comfortable. They feel a psychological draft in the room.

"I was a schoolboy in the early Sixties," Dr Sacks explains, "and I had a very clear picture of what it was to be English. It was bound up with *The Times*, Radio 3, Oxford, you know, what being a middle-class Englishman was, and I suppose that had an almost mystical charm about it."

"It's the fascination that Jews like Woody Allen and Philip Roth have for a way of life that isn't constantly neurotic. It was a very clear image, and I internal-

ized that image. How you dressed, spoke, protocols of respect... it's something that I admired."

"I wonder if my son in school today would have such a clear image. Now, obviously, Jews are to some extent the beneficiaries of the loss of that clear image, because that is forcing Jews back to their own roots, back to their mode of identity. But [at the time] I was petrified by the vision of a society of conflicting ghettos."

This is foreign, of course, to those of us who simply don't spend much time worrying about whether we are British, Jewish or Martians. We can recognize the reality of such concerns and defend the freedom to worry endlessly about self-definition and how one can reconcile orthodox Judaism with British life and so on, but one cannot empathize with the dilemma. The difficulty such a need for self-definition presents comes when it is projected on to the community at large, and becomes an exclusionary vision.

"I'm worrying about the depths of Jewish identity," Dr Sacks says. "I very often hear people saying: 'I feel intensely Jewish'. The first radio interview I ever did was with Frederic Raphael a long time ago. His television plays were very brilliant, in his brittle way. And somebody said to him: 'Well, Freddie, you're writing about Jewish themes, have you ever met a Rabbi?' And Fred said no. So the BBC sat us down in a studio and went an hour's conversation called *Jews on Jews*."

"I thought, 'How very strange', as I'd felt about George Steiner and many other people who feel very intensely Jewish. How strange that they are masters of every other culture and most other languages except their own. And that pains me very much, because Judaism was always an intellectual tradition, a tradition of study, of argument. We are still a people of intellectuals, but not of Jewish intellectuals."

But was his conclusion that it was necessary to be a member of a synagogue in order to declare one's self Jewish? Couldn't one be divorced from practising ritual but still remain a Jew?

"Well," say Dr Sacks and Rabbi Jonathan, "one half of me would say yes and one half of me would say no... I'm just wondering whether there aren't some perverse double standards here. You wouldn't expect to speak as an English intellectual without some grounding in antecedent English culture, but how can you speak as a Jewish intellectual without some grounding in that antecedent culture? I mean, I don't know whether I have to live by Shakespeare or Milton, but I think I'd be very under-educated if I didn't know them."

"George Steiner once said to me when I was debating with him at the Cambridge Union, and we were talking about Wittgenstein — who was then still very much the local deity — and he said something about 'Wittgenstein's Talmudic style'. Well, Wittgenstein wouldn't have known what a Talmud was if you had hit him with one. Which George dismissed as quite irrelevant, but I don't think it is irrelevant. Are you with me?"

One can't help being with Dr Sacks in the following sense. He is

so utterly engaging in his enthusiasm for discussion, debate and ideas. Indeed, he wants to bring Jews back into the orthodox community through organizing seminars and talks where conflicting points of view can play against one another in the best Talmudic tradition. In such contentious matters as the Rushdie affair his allegiance is admirably fixed to liberal notions of free speech. He talks willingly of the need for religious groups to follow the Jewish model of developing "two languages": a private language of ritual and a public language that adapts to the customs of England.

He is anxious to put into effect the sort of cosmetic reforms that will make Jewish orthodoxy, well, warmer. Women sitting side by side with the men in the main hall of the synagogue, separated by a screen running down the hall's centre rather than women isolated upstairs in a sort of mysterious *purdah*. He wants synagogue services that will be tailored to people's lifestyles — long services, short ones, informative ones, contemplative ones.

He worries, as a good orthodox rabbi should, about assimilation and the falling birthrate of Jews. He says all sorts of rarely heard sensible things about the need for Jews to stop defining themselves according to the neurosis of hate and the pursuit of anti-Semitism, and instead concentrate on a healthier response to adverse attitudes such as having more babies and returning to Jewish life. His mind can be wonderfully focused and his bedside manner is a delight. In short, if one found oneself waking up in an orthodox world, I can't think of a nicer sort of person to be in charge of it than Rabbi Jonathan and Dr Sacks.

Only two worries remain: one can understand that a man who is an orthodox rabbi and whose *raison d'être* is totally tied in with a particular form of Jewishness wants to give that form primacy or exclusivity. He is right, after all, in saying that if you are a very small group dispersed all around the world, you must jealously guard that exclusiveness in order to survive. But should it be at such a price in terms of one's freedom and alienation from British culture? Given that there is a state of Israel to which Jews can go, why is it so necessary to create orthodox communities of Jews in Britain?

The second worry is more personal. There are those who are concerned that Dr Sacks has not had enough practice in the day-to-day machinations of running rabbinical affairs. I wouldn't worry about that. It's much harder to buy the brains and judgment which he already has than the people he might need around him to organize administrative matters.

My concern would have to do more with the extraordinary demands he will place upon himself. He has an intensity of purpose with a mind already split, as it were, into two parts, with his own third eye commenting on his dilemmas. "Would you like to be a rabbi?" I asked the eldest of his three children. "No," he replied. "I couldn't take the stress."

Golden reunion of the little ships

Rotting away in a small port in the south of France in 1984, the motor yacht *Blue Bird* of Chelsea seemed to have reached the end of her life. She had fallen far since she was one of the hundreds of "little ships" which crossed the Channel almost 50 years ago to rescue the British Army from the beaches of Dunkirk.

Despite her condition, her grace of line and illustrious history persuaded Martin Summers she was worth restoring. And now he hopes to take her back to Dunkirk again in May, as good as new, with a fleet of up to 70 surviving "little ships" which will cross the Channel to mark the anniversary of the opera-

tion. The vessel — then named *Blue Bird* — was built in 1931 for Sir Malcolm Campbell, holder of the world land and water speed records. It was the name he gave to all his record-breaking cars and boats, as well as to his yachts.

Mr Summers, a Chelsea art dealer, says: "The evacuation was a miracle. The little ships saved 350,000 troops and *Blue Bird* was in the thick of it."

The organizers of the commemoration hope that the gathering of surviving yachts and inshore working boats will be the largest since 1940. Contact between owners is kept up by means of the Association of Dunkirk Little Ships. "It is the most exclusive of yacht clubs, because it is the boat which is the member,

Human — and mechanical — heroes are planning a return to Dunkirk

rather than the owner," says Rob Stokes, public relations officer for the association.

One ship expected at the reunion almost ended her life on Dunkirk beach. The sailing barge *Ena*, of Ipswich, was stranded in the German bombardment and abandoned. Later, the rising tide refloated her, and a group of soldiers paddled her to Mar-

gate with 36 men aboard, three badly wounded.

● Readers of *The Times* are invited to join a two-day tour of the Dunkirk area on Friday, May 25, and Saturday, May 26.

Highlights of the trip will include a flypast by the RAF, a wreath-laying ceremony at the Dunkirk cenotaph, and a ceremony of remembrance at the Commonwealth war graves cemetery.

The tour will leave London from Victoria by coach on Friday at 10.30am, arriving at Dover at 12.30pm (you may join the tour either at London or Dover) and departing for Calais on a P&O ferry at 1.30pm. You will travel from

Calais by coach to the Mercure Hotel, Lille. After dinner there will be a talk by Col "Pat" Porteous VC.

The ceremonies, services and parades will take place on Saturday when the group will tour the evacuation area and have a picnic lunch before returning to Calais where the ferry leaves at 6.15pm.

For those travelling on to London, the approximate time of arrival in the capital on Saturday May 26 will be 9.15pm.

The price of the two-day trip is £99 (with a £16 supplement for a single room), including travel and accommodation.

George Hill

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TIMES DIARY

ALAN HAMILTON

The ascent and fall of former Guinness chairman Ernest Saunders is likely to become a BBC TV mini-series, I hear. Playwright Stephen Wakenham has been gathering background information at Southwark Crown Court, where Saunders and three other City figures are fighting charges of theft and fraud arising out of Guinness's £2.7 billion takeover of Distillers in 1986.

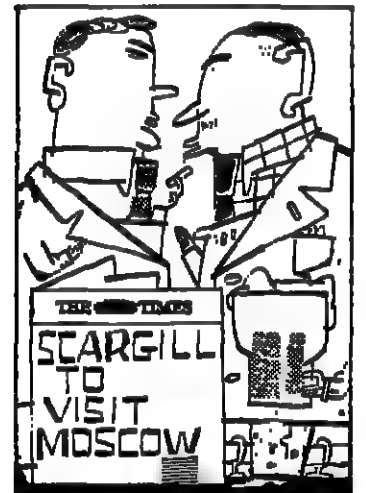
Wakenham is a regular contributor to BBC's *Screen 2* on Sunday. It showed his adaptation of Nina Baym's *Circle of Deceit*. "There is tremendous drama in the pace and cut and thrust of the takeover," he tells me. The part of Saunders has yet to be cast, but Wakenham thinks there is a strong physical resemblance between him and Bob Peck in his role in the award-winning nuclear-age thriller *Edge of Darkness*.

How are the yuppies fallen. Asked how business was doing, an Isle of Dogs newsagent deep in Docklands replied: "Great! I just can't get enough farewell cards."

Poll tax latest. I hear that when Kensington and Chelsea (£375) held their crucial meeting the other night, they brought in 30 police to guard the premises. A protester still managed to break in and play a fire extinguisher over several Tory councillors, including Lady Antonia Fraser's son Benjamin. And where were the guardians of law and order? Tucking in to the buffet provided by the council at ratepayers' expense, I gather. Too late did they tear themselves away from the scoff to nab the demonstrator. Meanwhile in Thamesdown, which is what they call Swindon nowadays (£336.63), the Labour council has at least maintained a sense of humour over the hated impost; the new Civic Centre extension to house poll tax collectors has been named Wat Tyler House. As peasants go, the roving scumbusters who orchestrate poll tax protests are pretty revolting, after all.

State agents have yet to heed last week's critical report on them by the Office of Fair Trading, judging by particulars issued by an Orpington firm. "A really charming property of intrinsic proportion and old-world charm... The house enjoys an evocative ambience of ancient antiquity forming an integral part of the history of St Mary Cray." Oh, it's a one-bedroom end-of-terrace cottage.

BARRY FANTONI



"Perhaps he'll pick up a few tips on democratic leadership!"

Two final winners of my competition to write John Major's Budget speech. Among near-misses I enjoyed Gary Phillips's scheme to have the PSBR financed equally by Robert Maxwell and Andrew Lloyd Webber. And I would certainly vote for Thomas Wright's plan to increase to £7,000 the annual tax on caravans wishing to use the roads outside the free movement period (midnight to 3 am).

A bottle of Glengoyne 17-year-old single malt to W David of London NW3 for this: "Freedom being increasingly competitive, I will maintain the world moral superiority of the British thinking class by applying a Rites Tax on all failing to produce a daily psalm to Nelson Mandela, send an acorn to Brazil, or those able to sleep soundly despite the Hong Kong refugees. Hampstead residents will be surcharged for exceeding anguish quotas. EC subsidy will be diverted to production of British Standing-In-The-World and farmers trained to manage instead by eating fertiliser and washing with pesticide. I will recoup revenue by licensing the phrase 'you know' to phone-ins abroad."

And another to Pierre Leroux of Aberdeen for: "The greenhouse effect has made the need for cleaner cars obvious. As part of this Government's commitment to the environment and to privatization, and as part of our ongoing efforts to reduce private credit, we will nationalize, then privatize, the Channel Tunnel in its present state of completion. The inevitable leaks will make it an ideal large-scale drive-through car wash financed by fee-paying motorists. To enhance revenues, and in keeping with our policy to expand access to the airwaves, franchises for the operation of the exit wind-dryers will be sold to the highest bidder."

My thanks to all entrants, and to Lang Brothers of Glasgow for the donation of some of their finest liquid gold as prizes.

Among the very few statistics that I do not have at my fingertips is the weight of a throat lump. I could probably get it by picking a few names at random from the Ear Nose & Throat Directory and asking the mean of their experience, but it's two in the morning, now, and you know how ENT surgeons get when you ring them in the small hours. Ratty, is how they get, and who could blame them? Forearms aching from a day spent yanking at the unyielding tonsil deserve a decent night's kip.

I shall just have to guess. Given the seating capacity of the Albert Hall, and given that, three hours ago, that capacity was stretched to the grieving gunwales, I should think that the combined weight of glottal impediment at 11.03 pm was in the order of four tons. That is a lot of emotion in anyone's book. But how could it

have been otherwise, at the second concert? The second concert was where you had to be, because it was the final concert. If you went to the first concert, last Wednesday, you knew it wasn't the last time we should see Ella Fitzgerald. But if you went to Thursday's concert, you knew it was a farewell performance. She sang "Every time we say goodbye, I die a little" and a little after that, with the vibrato still faintly rippling the air, she bowed, and turned, and allowed her accompanist to help her from the stage, because she is a very frail and ailing lady now, and 16,000 eyes watched her slowly departing shoulders for all

the time it took before she finally disappeared and few of those eyes were seeing quite as clearly as they usually did. To find out why this happens, you would have to ring an ophthalmologist, but they can be just as ratty as ENT people, at two in the morning.

Two in the morning is the only time to write about the farewell of Ella Fitzgerald. It is, of course, not merely self-indulgent to do it then, it is, particularly on this occasion, downright self-pitying; but since she more than anyone else was the instrument whereby we first learned how to develop, how to refine, how to *retish* self-pity, and since two in the morn-

ing was exactly the time we learned all this, that is why it is the only time to write about her saying goodbye.

It did not matter, three hours ago, that the performance was not



ALAN
COREN

quite what it was when I first wallowed in the great albums, 30 years ago. On the contrary, it did matter, in a way that served only to underline the poignancy; because we have all died a little since then, and because the 30 years we have spent doing it have passed rapidly enough to remind us that, any moment now, we shall be dying a lot. If it's self-pity you're after this is just about the best there is.

Her voice, naturally, is no longer in the shape it once was to meet the demands of the formal ballad; while her jazz numbers allow her to deploy her miracles of phrasing to cheat the stamina required by the long note, the

great song-standards brook no such compromises. But perhaps it was just as well she didn't offer us "Get Out Of Town", or "It's All Right With Me", or "When Your Lover Has Gone", or any of the other reverberant stuff our trembling hands used to stick on our lo-fi bed-sit turntables when our lovers had gone and it was very far from all right with us, not because, at 50, we didn't wish to be reminded of those days, but because we did, and we already had quite enough bitterness morsels on our plates with what she did sing, thank you. For there is just so much nostalgia a person may reasonably be expected to take in public before inter-

directed Schadenfreude tips over into depression. (I am not talking about myself, of course — good heavens, I am blessed with flawless contentment, no regrets at all, whatever put that into your heads, it's just that, sitting in the stalls, I naturally didn't want people chucking themselves off the balcony.)

What a person may reasonably be expected to take in private, mind, is another matter. My research on that matter is necessarily scanty, because only a couple of hours have passed since we all got home and the full figures are not yet in, but it is estimated that between 60 and 70 per cent of the audience has spent those hours listening to Ella on the gramophone.

And if you're looking for really major self-pity, try the reflection that those records will unquestionably survive us all.

Michael Howard suggests ways in which the world should change after the fall of the Soviet Empire

Gateway to a new Europe

The Soviets appear to have divested themselves of their Empire in the West as completely as the British divested themselves, 40 years ago, of their Empire in the East. Now the divided halves of the European family can come together once more and remain together. The remaking of Europe is at last possible, and that is the task to which all our minds must now be turned.

The old nations of Central Europe — Austria, Hungary, and Czechoslovakia, together with Poland and the eastern marches of Germany — should be welcomed first and most warmly into our European commonwealth and ultimately, I believe, into the European Community, for these are the nations that we are best placed to help, in terms of geography and common culture.

It is not mere historical nostalgia that makes me urge that the countries of Central Europe should be admitted as soon as it is feasible into the European Community. There are two other immediate reasons. One is that their own history has been characterized as much by antagonism as by co-operation: antagonism between Germans, Czechs and Poles, between Hungarians and Slovaks, Romanians and Croats. It was their growing and incompatible self-interests that shattered the unity of the Habsburg Empire, something that many of them have regretted ever since. Common suffering has done much to bring them together, as it brought together the warring peoples of Western Europe 40 years ago. But they still communicate more easily with the West than with one another, and co-operation among them is likely to develop far more easily within the framework of the Community than on any purely regional basis.

The second reason is that they do share, I am afraid, a highly ambivalent attitude towards Germany, especially the prospect of a reunited Germany; however sincere the professions of reconciliation made by their political leaders may be. The generation whose understandable detestation of the Germans made them welcome the Russians as liberators has almost passed away, but their successors remain wary; nowhere more so than in Poland.

None the less their need for German capital, technology and general expertise is such that the development of a German economic policy in Central Europe should be conducted in close association with their Western partners, within the framework of a European Community which has already so successfully mitigated historic antagonisms in Western Europe. Otherwise the peoples of those countries may come to feel that they have exchanged one kind of hegemony for another; a more beneficent and benevolent hegemony, certainly, but one they



would none the less cordially resent.

Our first task must therefore be to re-absorb the peoples of Central Europe into our cultural and economic community, where they properly belong; to recruit the ties between London, Paris, Rome, Munich, and Leipzig, Warsaw, Prague and Budapest. But if they are so re-absorbed, will they join our security community as well?

Ultimately, we hope, yes. A single security system embracing the whole of Europe, involving the dissolution or amalgamation of the existing pacts, is certainly a reasonable long-term goal. This is the objective at which we should aim in the Conference on Security and Co-operation in Europe negotiations at Helsinki. But political circumstances dictate that we must take our time getting there. If such a system were to include the Soviet Union, it would at present be unacceptable to many of its other members. If it did not, it would be seen by the Soviet Union as at least potentially hostile, especially if it were still linked with the United States.

The Soviets are in a position to block the creation of any security system extending simply from Brest to Brest. Even if they were not, we should have learned by this time the profound unwisdom of imposing an unwelcome settlement on nations which are in no position to resist it, but which they will challenge as soon as they have recovered their strength.

So a special military status for the nations of Central Europe seems, for the time being, unavoidable. This might well be a status comparable to that of Finland: politically independent and free of all foreign military

forces, but accepting that the Soviet Union has a certain *droit de regard* which might or might not be exercised through the mechanism of the Warsaw Pact. Their independence might indeed be formally guaranteed by both sides.

This status might ultimately be enjoyed by the Baltic Republics if — as seems quite possible — they regain their freedom. A *cordon sanitaire* extending from Finland through the Baltic States, Poland, Czechoslovakia and Hungary to Austria and Yugoslavia should satisfy the security interests both of the Soviet Union and of the West. More important, it would almost certainly conform to the wishes of the peoples themselves — so long as they enjoyed in every other respect unimpeded membership in the commonwealth of Europe.

As for the military status of a reunited Germany, the wishes of the German people themselves will be paramount, whether we like it or not. We await with interest the results of the internal debates that will now take place within the two Germanies both before and after reunification. But their allies, neighbours, and former adversaries have a deep and legitimate interest in the outcome of those debates, and a right forcefully to express their views. They are likely to make two major

stipulations. The first, on which the Soviet Union in particular is likely to insist, is that there should be at least *ad interim*, a special military status for the territories which at present constitute East Germany. Either there should remain on these territories Soviet garrisons, even if their presence is largely symbolic, or they should contain no foreign forces at all.

The second stipulation, which has been firmly set out by the President of the United States, is that Germany should remain a member of the Western alliance. A neutral Germany would dangerously destabilize not only Europe, but the world.

On this last point, the Western allies, the Poles and at present a majority of the inhabitants of West Germany are at one: a reunited Germany should remain a member of the Nato alliance. The Soviet Union so far maintains the official view that a reunited Germany should belong to neither alliance, but it must be at least as aware as anyone else of the problems that a powerful unaligned Germany would present for the stability of Europe.

But the East Germans at present see things differently. Opinion polls there indicate a strong preference for neutrality, and in a reunited Germany they might find more allies than at present we expect. This is very likely to happen if one part of Germany has to sustain the

burden of hosting considerable foreign armed forces while the other does not.

I can well understand the depression with which the civil and military officials of the alliance must contemplate the prospect of *perestroika* within Nato — of demolishing and rebuilding a structure which they have created in the face of almost insuperable difficulties as a result of innumerable compromises, and which has served us all so well. But the fact must be faced: that a structure created to meet the security needs of the 1950s is in danger of becoming, after 40 years, an anachronism.

The alliance itself, as I suggested, should be sacrosanct, however radically we may revise the manner in which it operates, and especially sacrosanct should be the participation of the US. There are three good reasons for this. First, the Soviet Union, whatever course its internal evolution may take, will remain a very strong military power with a formidable arsenal of nuclear weapons. And it will remain, I am afraid, at least for the time being, an alien power. However sincere Gorbachev's wish to be admitted into the common European home, the course chartered by Lenin and Stalin has removed the Soviets so far from the structures and values of Western society that it may take a generation of sustained reciprocal effort before we can really treat them in the same fashion as we do one another. It is an effort we should do our best to encourage and help. It might indeed become easier if the Soviet Union were to shed its Asian dependencies and return to its European roots. But in the meantime, Soviet power — especially Soviet nuclear power —

still needs to be balanced in Europe by that of the US.

The second reason is generally admitted but seldom mentioned in polite society. There is a German problem. It may be only a problem of perception, but it exists none the less. An alliance without the US would be an alliance dominated by Germany. The peoples of Central Europe and the Soviet Union, rightly or wrongly, would see this as a threat. Even the West European allies would be uneasy; not so much because of the record of Wilhelm and Nazi Germany as because of more deep-rooted instincts about the need for a balance of power in Europe. So long as these feelings are strongly held, there will be an equally strong need for the United States to remain entangled in the alliance, to balance German as well as Soviet power. We may regret these sentiments, but they do undeniably exist.

The third reason for continuing American participation is no less important. If the price of reconstructing Europe is to be the disintegration of the Atlantic community, then we will have made a very bad bargain. The Atlantic alliance was intended not as a temporary expedient, but as a lasting supranational community, not only protecting but enriching its members, widening their horizons with a sense of common destiny and common responsibility. We should be welcoming our Central European neighbours into that community, not putting the clock back to the introverted Europe of 1939.

But the balance within the alliance must now shift. Under the new circumstances, the European members of the Atlantic community can and must make proportionately a far larger contribution to their own security. The role of the US should in future be supportive rather than dominant. Nato must not be seen in the future, as it has been too often seen in the past, as a mere extension of American power. A shift in the balance of command responsibilities might do much to defuse incipient neutralism in a reunited Germany, as well as reconciling the French to common structures and planning.

A more flexible, less obtrusive and less costly deployment of American forces in Europe could provide sufficient "linkage" while satisfying critics of the alliance on both sides of the Atlantic. But this can only come about if we Europeans cease to look to Washington for direction and leadership, and show ourselves capable of creating our own security community appropriate to the new conditions with which we are faced. Until now our concern has been how to preserve the world. Now it must be how to change it.

This is an abridged version of Sir Michael Howard's Alastair Buchan Memorial lecture delivered to the International Institute for Strategic Studies yesterday.

There is a German problem... An alliance without the United States would be an alliance dominated by Germany. The peoples of Central Europe and the Soviet Union would see this as a threat.

Why this obsession with political hara-kiri?

Woodrow Wyatt scoffs at the Sunday paper polls of Tory MPs

It is legitimate for journalists to ask any questions of public figures relating to their public lives. It is also legitimate for them to refuse to answer them. The Tory MPs who responded to questions published in three Sunday newspapers were either foolish or deliberately damaging their own party in the run-up to the Mid-Staffordshire by-election on March 29.

We do not know which MPs were questioned. Perhaps they were those most likely to provide anti-Thatcher answers over which sensational headlines can be printed to attract readers and repeats on radio and TV, thus advertising the papers concerned. There are 373 Conservative MPs. The *Sunday Times* claims to have spoken to 100. The *Independent* on Sunday to 171 and the *Mail* on Sunday to 146. There was no way in which the innocent public could judge whether the anonymous samples selected revealed any increase in dissatisfaction with Mrs Thatcher or greater support for Mr Heseltine as her successor among Tory MPs as a whole.

When Sir Anthony Meyer stood against Mrs Thatcher, 33

voted for him, 24 spoilt their papers and three abstained. This indicated that 60, just over one sixth of Conservative MPs, definitely were against Mrs Thatcher. If a more plausible candidate than Sir Anthony had stood, it is reasonable to assume that the score might have been higher, perhaps up to 80. The *Sunday Times* claims that its poll shows just over a quarter wishing Mrs Thatcher to stand down before the next general election. The *Independent* on Sunday records 41 out of 171 saying the same, which is somewhat less than a quarter.

The *Mail* on Sunday asked a slightly different question: Do you think the Prime Minister should consider standing down before the next election? To this it claimed 38.7 per cent of 146 MPs said, yes. Suggesting someone "consider" something is not at all the same as insisting it should be done.

Proposing the highly unlikely possibility of Mrs Thatcher making certain that her party lost the next election by standing down, the papers asked their selections

of MPs whom they would like to succeed her. The *Sunday Times* said Mr Heseltine was backed by 37 per cent. The *Independent* on Sunday gave him 51 per cent and the *Mail* on Sunday an extraordinary 71.1 per cent. That is a sufficiently wide variation to make nonsense of all three polls and to show their uselessness as a guide to the feelings of the Conservative parliamentary party, of which only backbenchers were questioned. Left out were the 85 or so who hold government office in the Commons and who, themselves comprising nearly a quarter of the parliamentary party, would with very few exceptions wholeheartedly support Mrs Thatcher as their leader in the next election. Their inclusion in any poll of MPs would make a marked difference to what the newspapers like to publish.

If Mr Heseltine were to replace Mrs Thatcher, it would be the most bizarre choice of the century. The Conservative Party would renounce and reverse most of its achievements of the last 10 years in Britain and stand

on its head in Europe. Mr Heseltine wants to plunge headlong into the embrace of Brussels, with an inevitable federation far down the road. He wants Delors, and nothing but Delors, which includes a common European currency, total monetary union and a supreme EC bank. Last year he elaborated these theories in *The Challenge of Europe*, now made to look even more decidedly silly and unacceptable to the voters by the impending reunification of Germany and the collapse of the Soviet empire in Eastern Europe.

At home, Mr Heseltine aims at "interventionism". He would like to see an interfering government supervising private enterprise in partnership with the trade unions and business leaders. It would be back to corporatism and the old consensus politics between the Conservative and Labour parties which accelerated the decline of Britain till Mrs Thatcher halted it.

A Heseltine leadership would savagely divide the Conservatives by wrecking the policies

on which they have won the last three elections and can hope to win the next, by when inflation, mortgage and other interest rates should have come down and the fuss over the community charge should have subsided.

Mr Heseltine firmly declares that he wants Mrs Thatcher to lead his party at the next election, but his supporters are busy trying to destabilize the Prime Minister and her Cabinet. Last week's *Economist* wrote: "The idea that Mrs Margaret Thatcher may no longer be prime minister by the autumn must now be taken seriously."

We are told that her own Cabinet ministers are reluctant followers and that the Government is in disarray. I have questioned several Cabinet ministers on this point during the last few days. They are adamant that the Cabinet has never been more harmonious or united. There is no one around the table making his colleagues nervously wonder out of which particular Cabinet meeting the unreliable Mr Heseltine will flounce to make a much publi-

cized resignation on the doorstep of Number 10.

The Foreign Secretary is doing an admirable job on the EC and German reunification, without any discord with the Prime Minister, though I cannot entirely support him on Hong Kong. The loyal and admirable David Waddington shows solid worth as the new Home Secretary. The Chancellor of the Exchequer is more in tune with the Prime Minister than Mr Lawson was in his final period. It is not an exhausted, enfeebled or quarrelling government, but the most able, coherent and effective since 1979. It is full of vigour. Knowing the great majority of the Cabinet, I cannot imagine any of them preferring Mr Heseltine, or anyone else, as prime minister to lead them into the next election. If any Tory MPs promote another leadership election, then their obsession with hara-kiri should be treated by a psychiatrist. Meanwhile they should resist the temptation to answer openly or anonymously every mischievous question asked them by the media with its intention to destroy public confidence in their own government.

The only time to say goodbye



ALAN
COREN

quite what it was when I first wallowed in the great albums, 30 years ago. On the contrary, it did matter, in a way that served only to underline the poignancy; because we have all died a little since then, and because the 30 years we have spent doing it have passed rapidly enough to remind us that, any moment now, we shall be dying a lot. If it's self-pity you're after this is just about the best there is.

Her voice, naturally, is no longer in the shape it once was to meet the demands of the formal ballad; while her jazz numbers allow her to deploy her miracles of phrasing to cheat the stamina required by the long note, the

great song-standards brook no such compromises. But perhaps it was just as well she didn't offer us "Get Out Of Town", or "It's All Right With Me", or "When Your Lover Has Gone", or any of the other reverberant stuff our trembling hands used to stick on our lo-fi bed-sit turntables when our lovers had gone and it was very far from all right with us, not because, at 50, we didn't wish to be reminded of those days, but because we did, and we already had quite enough bitterness morsels on our plates with what she did sing, thank you. For there is just so much nostalgia a person may reasonably be expected to take in public before inter-

directed Schadenfreude tips over into depression. (I am not talking about myself, of course — good heavens, I am blessed with flawless contentment, no regrets at all, whatever put that into your heads, it's just that, sitting in the stalls, I naturally didn't want people chucking themselves off the balcony.)

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الان كورن



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GOING IT ALONE

Lithuania's affirmation of its independence could not have come at a worse time for Mr Gorbachov. He is engaged in a crucial phase of his political revolution from above: the transfer of supreme power from the Communist Party to the State (in the person of its first executive President) and the democratisation of the party itself. To this already momentous agenda the Lithuanians have now formally added the issue of the very integrity of the Soviet Union.

Concern for Mr Gorbachov's success or survival, however, should not be allowed to obscure the justice of the Lithuanian cause. The Lithuanians are only reclaiming a statehood of which they were robbed in 1940 under the threat of force. The Western powers, rightly, have always denied the legality of the incorporation of the three Baltic states into the Soviet Union which followed the cynical division of Eastern Europe into Nazi and Soviet zones of influence in 1939. They cannot draw back from this position now, nor side-step its implications. The Lithuanians are just as entitled to the right to self-determination as any other nation or people.

Even some leading members of the Sajudis movement, however, are all too aware of the perils of the course on which Lithuania has embarked. In making their dash for independence before Mr Gorbachov has had time either to assume his new presidential powers or to lay down the rules governing secession, the Lithuanians are risking, as a minimum, the application of economic sanctions by Moscow which could close down factories and bring about severe material and social hardship.

Lithuania is also inviting disenfranchisement from the Union institutions — the Congress and Supreme Soviet — in which it should be arguing its case. It is not clear, moreover, how much the gesture of UDI can amount to while Soviet troops remain stationed on Lithuanian soil: they are unlikely to be withdrawn except on Moscow's terms.

The Lithuanians will have to exercise great care and prudence, too, in choosing from the menu of their troubled past. It was, after all, only as a consequence of the Molotov-Ribbentrop Pact and the subsequent Soviet invasion of eastern Poland that their present

capital, Vilnius, was restored to them after 20 years as a Polish city. This, and the related frontier issue, is yet another of the skeletons to tumble out of the cupboard of history which *glasnost* and *perestroika* have unlocked.

By going it alone, the Lithuanians have virtually invited Mr Gorbachov to make an example of them. His main objective now will be to ensure that their experience is not one which other Soviet republics, especially Estonia and Latvia, will wish to share. He has a clear political interest in making the divorce as unpleasant for Lithuania as possible in the hope that other potential seceders — now including Georgia — will have second thoughts.

Mr Gorbachov should, however, resist the temptation to use strong-arm tactics. His international reputation would (or should) be damaged by an intemperate spasm of bullying behaviour; and the climate for an orderly evolution of the Soviet Union into a genuine federation of largely autonomous republics — which he professes as his ultimate objective — would not be improved. He thus faces his first major test of statesmanship as President.

The Lithuanian leadership, for its part, should reflect urgently on the advantages of acting in concert rather than in isolation. The new Soviet constitutional procedures regulating secession are complex, lengthy and heavily weighted against the individual republics. In the long and difficult process of negotiation with the centre which they cannot realistically expect to avoid, the three Baltic republics would hold stronger cards if they were to negotiate together from a common position.

Their economic importance to the rest of the Union is far from negligible, both as earners of hard currency and as potential display-cases for *perestroika*. The Lithuanians would have to be patient until their neighbours were ready to join them in a joint negotiation. If, however, the human chain which linked Tallin, Riga and Vilnius so movingly last summer could now be given political expression, it would bring considerable short-term tactical advantage. It would also prepare the ground for a viable economic grouping outside the Soviet Union but enjoying a co-operative relationship with it.

SPEEDING JUSTICE

Delays in bringing cases for trial in the criminal courts reflect very badly on the administration of justice in England and Wales. The Government's inter-departmental working group currently studying ways of improving efficiency in the prosecution process should not be timid. There is a good case for imposing time limits to bring a sense of greater discipline to what is at the moment a very loose and untidy record of performance.

The most notorious of recent instances concerned prosecutions pending against police officers arising from the Wapping dispute in 1987, where the court has stepped in to stop the cases proceeding further because the delay was thought to be excessive. According to the Justices' Clerks Society, which has a unique worm's eye view of the whole criminal prosecution process, the situation is becoming progressively worse.

While delays are against the interests of justice in abstract, the justices' clerks have observed that there are various parties to the prosecution process who actually regard delays with indifference or even quiet approval. Since the establishment of the Crown Prosecution Service the police have tended to regard their role in the bringing of prosecutions as no longer a priority, while some legally-aided defence lawyers can sometimes feel under a positive financial incentive not to make too much haste. In their evidence to the inter-departmental group the justices' clerks even refer to a "delay culture" among those who service the system.

Time limits already apply in cases where the defendant is in custody, though the justices' clerks have observed that this innovation has made no great difference. Defendants expecting to go to prison know that time spent in custody before trial will be credited to their account. Meanwhile one of the causes of delay, to the exasperation of many a crown court

judge, has been the failure of the prison service to produce prisoners on time, something usually attributed to staff shortages.

There appears to have been no Home Office circular in recent years, nor any recommendation or statement by chief officers of police concerning the need to correct delays in the system. It would be wrong, therefore, to lay the blame at the door of the Crown Prosecution Service alone. The adoption of the proposal for timetables and deadlines would actually help prosecutors, as it would improve their leverage with other services such as the police. It would help to restore the sense of priority which the police seem to have lost when their direct responsibility for prosecutions was removed.

All the elements in the system which contribute to delays would still need attention. Without some externally imposed discipline, however, there is no guarantee that that attention will be either prompt or sufficient. A system of time limits — preferably statutory — would bring home to everyone concerned that society expects a sense of urgency in those responsible for bringing cases to trial. Otherwise the institutional indifference which tolerates delays in taking cases to court will tolerate further delay, and a general lack of enthusiasm, in seeking remedies.

The possibility of improvement is well demonstrated by the wide variations across the country in the average time defendants spend on bail. The West Midlands police, one of the busiest in the country, has managed to keep the average bail period down to 13 days; in Tyne and Wear the average is twice that. In Gwent two thirds of those on bail are dealt with within 28 days, while in Dyfed-Powys the figure is only one in four. What can be done in the West Midlands and Gwent can be done elsewhere. What is missing is the discipline which a national framework of rigorous time limits would provide.

SWEET TOOTH

The Department of Trade and Industry's latest poster campaign warning British manufacturers to gird themselves for fiercer continental competition after 1992 should be read with special attention by chocolate manufacturers. A report this week by Marketing Strategies for Industry contains the first warning that the dominance by British companies of the richest chocolate market in Europe is less secure than it was.

The British are apparently so impervious to healthy eating campaigns that, although "healthier" brands are gaining ground, the overall market has grown by 39 per cent in a decade; 95 per cent of us eat chocolate at least once a week, and the average Briton consumes more than two pounds a month, a fifth more than the chocolate-loving West Germans. Consumers still love their Mars Bars, Kit Kat and Dairy Milk, the three market leaders. But in 1989 Britain became, for the first time, a net importer, thanks to a 53 per cent increase in imports which compared with only a 14 per cent rise in exports.

The industry's statisticians point out that less than a quarter of these imports are "competitive", the rest being accounted for by imports of chocolate confectionery manufactured offshore by British companies. The MSI report itself says that last year's surge in imports is "yet to be explained", and expects the UK to return to being a net exporter. But any housewife could tell Britain's confectionery giants that the "blip" is a warning to look to their laurels.

High-quality continental chocolates are increasingly in evidence, and have reached the shelves of mass chains like Marks and Spencer. The growth of the market in Belgian choc-

olates, in particular, has been phenomenal. During the last decade, imports of chocolates have increased by 60 per cent.

The annual review of the confectionery market published yesterday by Cadbury, still the market leader, admits that, between market restructuring (including foreign takeovers) and competition from continental manufacturers "things will never be the same in a market so long dominated by Cadbury, Mars and Rowntree". Rowntree itself was taken over in 1988 by the Swiss multinational, Nestlé, and Suchard, which lost the battle for Rowntree, has entered the mass market for chocolate bars in force.

Cadbury reports that consumer expectations have been influenced by the growth of speciality chocolate shops selling high-quality products, a development in which the major manufacturers have not been involved. Retailers are increasingly turning to "own label" products — and looking to continental sources to provide them. That trend is likely to be reinforced in the 1990s as, thanks to more foreign travel and pan-European advertising, the British consumer becomes more of a connoisseur.

British manufacturers have so far prepared for increasing competition by consolidating market share, both in this country and abroad, where they have been acquiring businesses catering to local markets. These surveys suggest that they now need to look more closely into the changing tastes of their consumers, both at home and in the new markets opening up in the European Community. They must also build closer relationships with retailers who will otherwise increasingly look abroad.

Policy vacuum on Nato forces

From the Editor of *The Times*
Sir, Your second issue (March 9) commenting on Tom King's dilemma over defence policy does not do full justice to the magnitude of the problems now facing the Ministry of Defence. Having wedded itself to Nato as the first, last, and almost the only rationale for our defence equipment procurement, there is now in plain view a yawning policy vacuum as Nato sensibly moves towards discarding the military side of its political/military role.

In these circumstances, and given the current uncertainties in the Soviet Union, ministers are right to be extremely cautious in making any statements which might damage the morale of our Armed Forces and encourage those who want prematurely to spend the so-called peace dividend. At the same time, it is essential that equipment expenditure priorities, as expressed in the annual MoD long-term costing exercise, do not just proceed as though nothing has happened.

As a matter of urgency, changes need to be made now to favour those new construction and modernisation programmes which are compatible with the maritime priority towards which we must inevitably return with the reduction, and ultimately the withdrawal, of all foreign armies from German soil. It will be interesting to see how much of this is reflected in the annual statement of defence estimates due out in a few weeks' time.

Yours faithfully,
RICHARD SHARPE, Editor,
John's Fighting Ships,
Forendy House, Kingsley,
Bordon, Hampshire,
March 9.

Castro's Cuba

From Mr Philip Kohls
Sir, Robert Kilroy-Silk ("Last night via for the band of fellow travellers", March 9) appears to imply that Castro is a Caribbean Cautious, that he treats his people with "a callous and despicable disregard", and that he would not survive an election. My own impression, formed on a recent visit to the island, is quite the contrary.

I found ordinary Cuban people, factory workers and farmers, to be highly politically aware; they are at once proud of the achievements of their revolution and aware of the absence of certain freedoms, about which there is a continuing public debate. Many recognise that, until Cuban people are fed, housed, and healthy, and until the nation can defend itself against both the military and economic force of its more powerful neighbours (as Nicaragua could not), many freedoms we take for granted are simply irrelevant.

Cuba is a young, poor country, badly in need of rapprochement with the West. To pillory its shortcomings is nowadays popular, but unproductive; to note and encourage its many real achievements is more so. To foster and accelerate the development of its democratic institutions.

Yours etc.,
P. A. KOLVIN,
Flat 2, 62 Victoria Crescent, SE19,
March 9.

Land Registry fees

From Mr V. T. Jordan
Sir, No doubt there will be general rejoicing at the improved service being implemented by HM Land Registry on April 1. It includes the introduction of *inter alia*, the following fees: copy documents, £12; copy plan (if separate from above), £6; official search, £1 per name. Hitherto all these services have been free of charge.

It is ironic that a Government dedicated to the extermination of monopoly, restrictive practice and closed shop should be equally dedicated to the creation of a land registration monopoly operating under fixed charges, used not only by the conveyancing profession as it now exists, but also by corporate bodies with their conveyancing departments. Meanwhile, the solicitor conveyancer's erstwhile priority rights in the conveyancing market have been stymied.

Yours faithfully,
V. T. JORDAN (Partner),
Carvers (Solicitors and property agency),
44 Bridge Street, Hereford.

Ton or toime?

From Mr R. O. C. Seaman
Sir, Mr Peck's contention (February 28) that the Imperial ton has been superseded by its metric counterpart is incorrect. Engineers educated in the 1950s have had to learn, over the course of the past few decades, the nuances of the dyne, gram, ounce, pound, pound weight, the slug, stone, hundredweight, ton, and kip. Who can accuse the English of being poor linguists?

The Systeme International (SI) has yielded the single unit of force, the Newton, which the Continentals forbear to use. This is understandable since, despite the sale of petrol in litres, the use by media weather forecasters of degrees Celsius, it will remain essential for me to translate my SI designs into Imperial units, for the benefit of my clients.

The ton(ne) is the common ground between the two languages, despite the small discrepancy in translation.
Yours faithfully,
R. O. C. SEAMAN,
Bakery Mills, Cotterell Street,
Hereford.

LETTERS TO THE EDITOR

Distant prospect of Israeli peace

From Major-General
H. M. Tillotson
Sir, Recently resigned Israeli Cabinet minister Ariel Sharon was an outstanding student at the British Staff College, Camberley, in his year — 1958. His handling of a division in the eastern desert during the Yom Kippur war, against greatly numerically superior Egyptian forces, showed swift tactical insight which effectively ended the conflict. It appears, however, from his article, "Israel's path to suicide" (March 10), that he has yet to transfer his military flair to the political field.

His reasons for resigning from Yitzhak Shamir's already divided Cabinet are negative and unrealistic. Although many of us wish it were not so, terrorism often does bring reward. The ethics of this depend on which side one is on, but it seldom pays to take up a sharply subjective stance. Both Arabs and Jews belong in Palestine, so it is futile to pretend, as Mr Sharon does, that the Arabs really belong across the river in Jordan.

Mr Sharon's five conditions for regional peace in the Middle East lack logical sequence and it can be argued that changes towards a more democratic process in Israel's neighbourhood are none of our business. More significantly, he makes no positive suggestion as to how democracy is to be restored to the Arabs of the West Bank. It is they, together with those of Gaza, who must see a secure political and economic future if peace is to be achieved.

Evidence suggests that the *intifada* was largely spontaneous

and independent of mainstream PLO influence in the early stages. Political advantage was derived, by all parties, through Yasser Arafat renouncing terrorism on behalf of the PLO, thereby seeking international respectability for the revolt and snatching for its control. Whatever Mr Arafat intended by his final words at Geneva, they are still the ostensible basis for PLO representation at the proposed conference table. He would now be prudent to put forward the names of delegates to which the Israelis could not sustain credible objection.

There are two aspects of Mr Sharon's article which, if interpreted in a constructive manner, could have a positive influence for the peace process. He claims that full Palestinian control over the Nabulus and Hebron West Bank salients would reduce the average depth of Israel's coastal strip to 14 miles. While this is arithmetically questionable, it is a useful reminder to Arab negotiators that Israel will rightly demand absolute and dependable international military safeguards for any territorial concession.

Secondly, Mr Sharon's explosive resignation from the political right of the Israeli coalition Cabinet might just make the seemingly stubborn Yitzhak Shamir see the advantages of the American route to the conference table which the more flexible Shimon Peres is urging him to embrace.
Yours faithfully,
H. M. TILLOTSON,
PO Box 12, Bishop's Waltham,
Southampton, Hampshire,
March 12.

Poll tax disquiet

From the Bishop of Bath and Wells
Sir, Although I have no basic objection to a poll tax as such, I am greatly perturbed that the burden of this will be borne by the poor and disadvantaged in our society. The wave of unrest reveals deep disquiet at the unfairness of a system which transfers responsibility for maintaining local community services from the well-off to those who, in many cases, are struggling to make ends meet. My own diocese has witnessed violent scenes in which local people have given vent to their feelings and they cannot be dismissed as extremists.

Central to this is the moral case for this significant taxation. I have yet to hear this argued and the deafening silence may suggest that the argument is indefensible. I am sorry to say that; but this is how it seems to those of us at a distance from the political arena and who yet want to support the Government in their difficult task.
Yours,
GEORGE BATH & WELLS,
The Palace, Wells, Somerset,
March 11.

From Captain R. H. Graham,
RN (retd.)
Sir, There are cases when the community charge is neither a tax based on people nor a tax based on property.

I hold responsibility for the payment of rates on a small, remote, 17th-century crofter's cottage situated on the Bodmin moor. It has no running water, no indoor sanitation, no sewerage nor cesspit, no electricity, and no refuse collection. When, in the housing shortage following World War II, all unoccupied dwellings were considered for compulsory requisition by local councils, it was rejected as being unsuitable for permanent occupation.

My family and I use the cottage for short breaks during the summer months. Over the past five years we have averaged 22 days' occupancy per year.

Our rates for 1989-90 amounted to just under £100, which is a fair and reasonable charge considering either the value of the property or the very limited use we can make of the local services. Under the poll tax the cottage is placed in the same category as a businessman's flat in London or a city man's house in the country. As such it is subject to the "standard" charge of 2 x personal rate, in my case amounting to £610 — a six-fold increase.

Added to which, I have no vote in north Cornwall, so there is no question of "accountability".
Yours faithfully,
ROBIN GRAHAM,
Wych Coppice,
15 Chantry Way Road,
Guildford, Surrey,
March 1.

Care of mentally ill

From Dr Neville Davis
Sir, Professor Buglass's comments (March 3) are timely. In common with many of my forensic medical colleagues (erstwhile police surgeons) I am seeing significantly more of the mentally ill in police stations; for the most part they are there because they have been found wandering or have been behaving in a bizarre and/or unacceptable manner. Our terms of reference are to give the police an opinion as to their fitness to be detained.

We generally take the view that a person who is mentally ill and in custody for their own protection would be more appropriately in the care of their family or, if need be, in hospital. Conditions do vary in different parts of the country, but difficulties have arisen and continue to arise when such persons have no family or others willing to care for them and when it is considered that they cannot be dealt with under the Mental Health Act.

Under these circumstances the

police are faced with a dilemma, with the police surgeon giving an opinion that they are unfit to be detained, yet the hospital for that particular catchment area will not accept them.

It often ends up with the custody officer releasing the unfortunate individual to take his or her chances in a none too friendly environment. I suspect this is far more common in some parts of London than elsewhere, where section 136 is applied. Under this section of the Act the police may remove mentally-disordered persons found in public places to "a place of safety," generally a mental hospital.

Yours faithfully,
NEVILLE DAVIS (Senior forensic medical examiner, Metropolitan Police),
Brownlow Medical Centre,
140-142 Brownlow Road, N11,
March 5.

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — (01)782 5046.

Lessons of the Harrods finding

From Mr D. A. Lundie
Sir, In the Government's justification for taking no action about the Al Fayed's misrepresentations (report, March 8) much has been made of the fact that the shareholders have come through unscathed. It is true that the former shareholders got their money, and that the present shareholders hardly need Government intervention to protect them from themselves. That is the situation *ex post facto*.

The position of the erstwhile shareholders, however, would have been parlous indeed if whoever financed the Al Fayed had, for whatever reason, failed to put up the cash on the due date. Surely the DTI investigation was intended, *inter alia*, to protect shareholders from the possibility of such a fiasco.

In effect the Al Fayed themselves carried a risk that the legal procedures were intended to eliminate. That they did so successfully does not negate the fact that the risk was there and the shareholders were kept in the dark. Even today we do not know how great that risk was, but presumably it could have been openly underwritten with the bankers' assistance.

I raise three questions:
1. Should not the Al Fayed be held to account for, and others deterred from, practising such dangerous deceit?
2. Is it right for such risk-takers to be allowed to have responsibility for the well-being of so many employees?
3. Could not the regulations for cash offers be tightened by requiring, for example, the placing of the necessary funds in escrow before approval of the bid is given?
Yours sincerely,
D. A. LUNDIE,
62a The Ridgeway,
Kenton, Harrow, Middlesex,
March 9.

From Sir Neil Pritchard
Sir, May I comment on the Fayed affair — not as one with any interest or expertise, but as a member of the general public with a small share portfolio. There are two distinct issues — 1. the possibility of unscrupulous Fayed ownership of the House of Fraser, 2. steps needed to stop anything like it happening again.

As to 1, it may well be that legal and practical facts make this impossible; in any case I would not myself wish it to go to Lord. But one deplores Mr Ridley's attempt to justify his refusal to use the powers he has on the grounds that "it would not be in the public interest" — this emerged under questioning as a piece of obfuscating gobbledegook quite unworthy of the occasion.

As to 2, however, it is in the public interest (properly so called) that there should be no repetition. The Government, and especially the secretary of state, should therefore at the very least have made it clear that they expect the regulatory authorities to act with vigour and that they would review the position after those authorities had taken their decisions.

As it is, Mr Ridley has stepped aside with a dismissive shrug of the shoulders. His performance was contemptible. Can the country trust itself to this Government's hands?
Yours sincerely,
N. PRITCHARD,
Little Gault, Daglingworth,
Cirencester, Gloucestershire,
March 8.

From Mr J. D. Evans
Sir, Today you report that "it was emphasised in Whitehall that the decision not to disqualify the directors had been Mr Ridley's alone". Does this mean that the doctrine of ministerial collective responsibility has been dispensed with?
Yours faithfully,
J. D. EVANS,
Highpool House, Newton,
Swansea, West Glamorgan,
March 9.

In case of need

From Mr J. R. Milner
Sir, In July, 1945, I sailed from Liverpool on the troop transport *Tamara*, bound for Bombay. Three days out, while sailing close to the coast of Portugal, one sensed that all was, perhaps, not well. Our normally straight wake had suddenly developed a marked irregularity, indicating an almost 90° turn to port, so that we were heading straight for the Portuguese coast.

While we landlubbers were wondering whether this sort of thing was normal at sea, an announcement came over the Tannoy, in a voice calm but urgent: "Will the ship's carpenter come to the bridge immediately, and bring a hammer and a wooden wedge."

Yours faithfully,
J. R. MILNER,
8 Mellerstain,
Gordon, Berwickshire.

From Mr Michael Scrivener
Sir, On a beautiful spring day last year, when the Australians were opening their England tour with a cricket match at Arundel Castle Cricket Club, a swarm of bees descended on a spectator's picnic hamper. This led to the enquiry — "Is there a bee-keeper in the ground?"

There was.
I am, Sir, your obedient servant,
MICHAEL SCRIVENER,
702 Bryer Court, Barbican, EC2,
March 6.

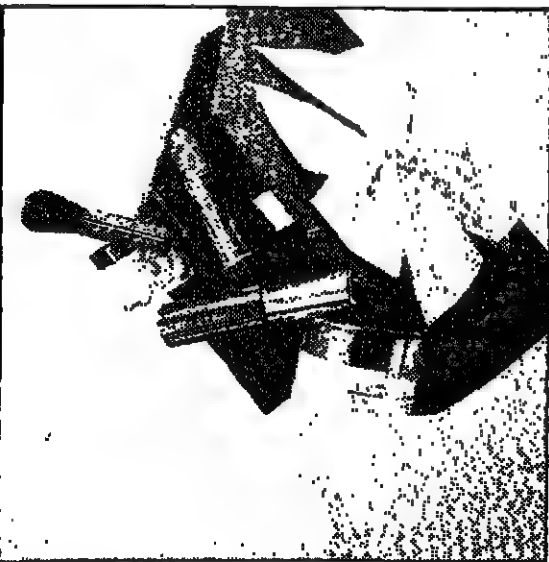
LONDON FASHION by Liz Smith

Putting zip into this sporting life



Left: Workers for Freedom, sailor-collared khaki top belted over matching flounced skirt. Right: Bruce Oldfield, satin-lined gold sequined hooded blouson and trousers

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One glimpse at any member of the young fashion-conscious clique poured into mile-long black leggings or comfortable crushed-velvet body suits, their high-top trainers half-laced to the ankles of stirrup ski pants, and it is simple to grasp what every self-respecting fashion manufacturer must supply to stay in business today — that little something to throw on top.

London designers, their antennae fine-tuned to the vibrant street scenes around them, have confidently captured the prevailing sporty locker-room look. Zipped inside a hooded sweatshirt with track pants or leggings, unhampered by a handbag (today's necessities are stowed in a belt bag or mini backpack), the new season's clothes are guaranteed to put new stride in your step.

In the seasonal round of shows that closes today, collections produced with

Britain's top designers loosen up their line and lead a youthful parade of colourful style out of the locker-room and on to the streets

considerably more polish than last season were presented with somewhat less polish than probably planned, given the scramble to pick an amusing and interesting stage for each show.

The international audience of buyers and press was somewhat depleted by retailing problems worldwide, but British designers, from the tame to the trendsetting, deserve to win more recognition back home with the desirable and wearable — and distinctly British — clothes they have created for autumn/winter 1990.

The loosened-up line of a voluminous, scoop-necked sloppy joe ran throughout the shows. Nothing more than a streamlining tunic, this flattering practical item has been served up in everything from luxurious abstract-splashed cashmere by as refined a designer as Jean Muir to the snazzy sequins, satin and sparkly Lurex with the razzmatazz expected from Bruce Oldfield or Rifat Ozbek.

Betty Jackson's easy camel cable-patterned sweater slipped under a suede topcoat and the scalloped-edge lace and soft "cabbage-leaf" bias ruffle, lovingly lavished by Workers for Freedom on their simple silhouettes, all endorse fashion's relaxed new line.

The basic bomber jacket or hooded parka in colourful silk or satin, puffed up and quilted, is worn not just for warmth but to give the look its essential strength.

For women whose lives demand a less informal look and who enjoy the feeling of a more structured silhouette, the new trim jackets (our greatest strength, according to Mrs Thatcher who praised the "enduring virtues of good British tailoring" at a recep-

tion at Lancaster House on Sunday night to celebrate London Fashion Week) are fashionably braided — or even trimmed with the curtain fringe for a gas, as Vivienne Westwood showed — and can be worn with a neat, short coordinating skirt or tapered trousers.

Anyone yearning for colour to replace the inevitable black in their wardrobes, will find glowing soft shades of cherry and violet as well as vibrant yellow, emerald and blue.

Jean Muir, our most polished and internationally respected designer, is in top form. After three decades in the business, she simply gets better and better. Her new jackets and coats in dusty blue

Richard Nott, are discovering. The judges' choice as Designers of the Year, won by their liberated ethos of doing their own thing (their customers would never end up looking like slavish fashion victims) and discovering a large following for their romantic detailing, has been vindicated with another ravishingly pretty collection in which flounced skirts, ribbon-trimmed jackets and shirts in suede as well as wool were the stars. The new fluted bias-cut full appears on a loose silk top and heavy charcoal "teddy" wool coat alike.

Bruce Oldfield cleverly contrives to balance a relaxed new feel with his taste for glamorous curves, with sweatshirts of sequins and colourful silk parkas that unzip to reveal one of his slinky little evening numbers underneath.

The London calendar of catwalk shows lacked several of our liveliest names. John Galiano and Katharine Hamnett are both showing in Paris this week. Rifat Ozbek, order books already full, chose to screen a video celebrating his skintight rainbow-sequined bodysuits, cow-necked loose tunics in glowing pink silk maroon and the thick wool parkas with mystical symbols embroidered on their sleeves that will be zipped over basic "body" and leggings.

Jasper Conran went one better by inviting assorted friends to dress up in his new line for the screening party of his collection video. Without the distraction of "staging" his clothes, his collection was refreshingly unstaged with clean-lined loose tunic dresses in velvet, flannel, silk and chiffon to slide one over another.

Nick Coleman is locked in the locker room with zippers

manoeuvring the line, zipped or unzipped on the seams of skirts and pockets. The graphic punch of bands of colour is strengthened with the flashes and stripes that zoom up and down his skintight skirts and shorts, worn with a parka, of course.

Vivienne Westwood is a thoughtful designer who regularly displays a talent to shock, almost despite herself. Lately, she has been taking the conventional Miss Marples suit in Harris Tweed or the royal off-duty uniform of tartan kilt and Highland jacket and distorting it to fit her own bawdy notion of what is appealing and sexy. Currently they are smothered in curtain fringe and worn over Boucher-inspired corsets.

The effect somehow succeeds in being raffish and prim.

With an instinctive understanding of how her smart, society clientele will want to wear the new relaxed look, Arabella Pollen clashes the colourful braiding around the jackets of her snappy new shorts suits. Orange, yellow, turquoise and shocking pink all outline the crisp lapels, cuffs and pockets at random. For night, her line is the simple tunic T-shirt or looser sloppy joe in glamorous colourful lamé, lace and Lurex.

When Paul Costelloe, cherished for his thoroughly classic, countrified style that is guaranteed never to frighten the horses, sent out "hunting pinks" and Donegal tweed jackets over nothing but black leggings or shorts, it was obvious that the trend towards a sportier line had become the look for the season.

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LONDON FASHION

Photographs: DENZIL MCNEELANCE



Above: Betty Jackson, camel cable long cashmere sweater

HOTLINE

The best of British talent

A part from the cashmere twinset and Burberry trenchcoat, British fashion's most notable export is probably its design talent. Graduates from fashion schools and art colleges up and down the country are in demand around the world. Balenciaga, the legendary Paris couture house where Givenchy, Courrèges and Ungaro all served their apprenticeship, yesterday launched an award for students at Central St Martin's School of Art. Regine Kunkler, head of Balenciaga, and Michel Goma, couturier at the house since 1987, headed the panel of judges at the MA course fashion show to pick the first student who will have the opportunity of working in the studio established by *le maître*. A collection of Harris Tweed mens' suits in a patchwork of shades of powdery blue, followed by violet and cream tartan golfing trousers and hooded coats, yesterday won the first Balenciaga award for a 26 year old Japanese student, Toshiyuki Fuchigami.



Satin playsuit, James Stephen-Cran, student award entry



Left: Paul Costelloe, black, red and white houndstooth jacket and shirt. Centre: Jean Muir, metallic gold leather tucked-waist jacket. Right: Arabella Pollen, pink-braided black jacket

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Is profit next to ungodliness?



Is the Church
confused between
creating the wealth
with which society
cares for its needy —
and simple greed? In

the second of three articles discussing
God and Mammon, Lord Caldecote
examines bias against business

The New Testament contains many references to riches and poverty. As Jesus made clear, you cannot serve God and Mammon: "Lay not up for yourselves treasure upon earth — for where your treasure is there will your heart be also." These and many other references to the problems and temptations that come in the wake of riches have naturally made the Church and individual Christians suspicious of riches and especially, perhaps, the pursuit of riches. There is real concern, too, about the selfish "I'm all right Jack" outlook which riches can so easily bring.

But the Church's attitude to poverty is somewhat perplexing. Many references in the New Testament and in our liturgy add strength to the case for regarding poverty more highly than riches. On the other hand, Christians are enjoined to look after the poor and to alleviate their poverty, which implies that some people must be relatively rich if they are to be able to carry out their Christian duty, as did the Good Samaritan. But there is less emphasis in scripture and in the Church's teaching on the positive contribution that rich people can make to the welfare of others through the constructive work they often do in earning their riches, which they are encouraged to share with the poor.

So it is not surprising that the Church has interpreted Christ's exhortation to love your neighbour as yourself in a way that more often than not seems to give priority to alleviating poverty, and to looking after the young, the sick and the old. It seems much less enthusiastic or concerned about creating the resources which will enable this to be done. Yet that should surely be a prime preoccupation of the Church, in parallel with its task of proclaiming the good news of God's love and forgiveness as expounded in the gospels.

Over the past decade, the rise of so-called Thatcherism has brought

into sharper focus the debate between those who accord priority to the efficient use of resources, economic growth and money making through individual enterprise, and those who see this policy widening the gap between rich and poor, through the encouragement of a selfish, greedy, and so less Christian society.

In many ways, this is a rerun of an old debate, for in the 19th and early 20th centuries the Church in general was greatly influenced by Thomas and Matthew Arnold. Then the clergy of the Church of England were predominantly gentlemen, and gentlemen did not engage in trade or industry.

In 1869, Matthew Arnold expressed the prevailing view succinctly in his book, *Culture and Anarchy*, when commenting on the foundation of a largely technological university, which seemed to him "to rest on a misconception of what culture truly is, and to be calculated to produce miners, or engineers, or architects, not sweetness and light".

Sixty years later, in the 1930s, Archbishop William Temple focused attention on the sharing of wealth without apparently attaching great importance to the means by which that wealth, to be shared in caring for the weak and disadvantaged, was to be created.

After the war the view was still widely held that the study of the humanities was respectable, whereas engineering and the manufacturing business were somehow inferior.

The historian Arthur Bryant echoed this outlook. The Luddites, he thought, were right, and the Industrial Revolution "has so far harmed man even more than it has benefited him". I wonder if he would say that today, when so much of the repetitive drudgery in manufacturing industry has been replaced by greatly improved working conditions.

Such investment in manufacturing technology has brought about a similar revolution in the home, too, as well as in medicine.



'If money is made honestly and with due concern — there is nothing un-Christian'

Though such benefits are not yet fairly shared, manufacturing industry and the wealth it creates are the source from which they benefit flow.

Despite this, many Church leaders and other sincere Christians continue to cast doubts on the value of this wealth-creating activity. Writing recently on "Business and Social Responsibility", Eric Forshaw summarized the current anti-business attitude: "If anything, business is becoming less responsible — the bottom line of the present order's much-garlanded idol, the enterprise culture, is greed — values which almost at every point conflict with biblical principles and are, as the incoming President of the Methodist Conference said, a perversion of Christianity."

There are, I believe, two principal reasons for this sadly negative attitude. First, there is a confusion between wealth-creation and money-making, and second, a lack of understanding of the wealth-creating process itself and the practical necessity for adequate incentives.

If money is made honestly and

with due concern for the welfare of others, there is nothing un-Christian in that. But the possession of large sums of money not only enables substantial real wealth in the form of goods and services to be acquired, but gives power to the owner, and so brings great responsibilities.

How this power and responsibility is exercised by rich people is the crucial issue, and one on which the Church should seek to give guidance.

But, in doing so, all too often Church leaders seem to forget the effective incentive to wealth-creation which the urge to make money provides, frequently with eminently worthy objectives such as meeting the needs of a home and family.

In essence, wealth-creation involves the use of raw materials in nature to meet people's needs. Although the design and manufacture of goods and services for this purpose is a stimulating and satisfying activity, wealth-creation is no easy business.

Today, it is obvious that in those industrialized nations which have done this most effectively, even the poorest are relatively rich compared with most people living in so-called Third World countries. Of course, there is much more to life than material possessions, and certainly they do not guarantee happiness, but without reasonable standards of housing, health, education and food supply, it is not possible to lead a full, satisfying life.

Essential to the solution of such problems of poverty in the Third World, and in our own urban-priority areas — such as those identified in the Church of England's "Faith in the City" report — is the creation of more wealth in affluent communities, both abroad and at home. Grants of money, whether from government or charitable sources, sometimes described as "throwing money" at the problem, will have no lasting effect unless they contribute to the wealth-creating process. But that also requires a spirit of enterprise and readiness to take risks in starting new businesses or expanding existing

ones. And experience shows that such initiatives will not be taken unless the rewards are commensurate with those risks.

Reward comes in the form of profit — the excess of perceived market value over input costs — which is both a measure of success and an essential factor in maintaining stability and growth in the business. The alternative to profit is bankruptcy and closure, or subsidy, which is a transfer from some other source of profit. And, again, experience shows that in this imperfect world the concept of giving service to the community at large does not in itself provide the essential incentive.

In common with virtually every aspect of human endeavour, some abuses in the wealth-creating process are inevitable, and must be curbed by laws which regulate all civilized societies. The early days of the Industrial Revolution in Britain saw many such abuses.

It is experience still colours the thinking of many sincere Christians and strengthens the cynicism with which the "trickle-down-of-wealth" theory is viewed. Never-

theless, such concern about greed and avarice does not seem to prevent the Church from admiring and giving thanks for prosperity through wealth-creation in agriculture, and it is constant in its affirmation of the merits of seed time leading to a rich harvest, despite the potential abuse of the resulting riches.

The recognition of the valuable contribution made to the community by a prosperous agricultural industry has done much to make farming a respectable occupation. In turn, this has encouraged high quality among those entering the industry.

By contrast, the relatively poor image that many people in Britain have of manufacturing industry has not encouraged either talented people to enter it in sufficient numbers or adequate resources to be invested in it. From this stems many of our economic problems and our inability to provide the means for educating the young and caring for the homeless, the sick and the aged.

If the broad aim of public policy in Britain is to provide opportunities for all to lead a full and satisfying life, then it is clear that wealth-creation in manufacturing industry, supported by a whole range of service industries, has a major role to play.

Work in that industry, or contributing to its prosperity as many service industries do, honestly and fairly, is surely just as meritorious as work in, for example, medicine and nursing, or social work for the disadvantaged.

On that basis, the denigration of wealth-creation in manufacturing industry by many Church leaders seems sadly unconstructive. It would surely be better to concentrate on guiding and ministering to those who contribute to wealth-creation, so as to ensure as far as possible that it is carried on, as it can be, in accordance with the principles of the Christian faith.

Of equal importance is that the Church should affirm the value and constructive contribution of the whole wealth-creating process, just as it does for the long-established agricultural sector. In that way we could unite in a common purpose to create wealth, leaving plenty of scope for differing views on the best way to achieve it, and on how the wealth should be shared.

Lord Caldecote is an industrialist, businessman and Anglican churchman.

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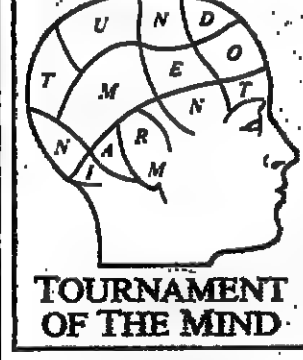
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Tournament of the Mind



- Round Seven of the 20-round Tournament of the Mind continues to puzzle and perplex some of the world's best minds.
- The winner receives £5,000 or, for the top school team, a Hewlett-Packard computer.
- The only reference works permitted to gain answers are the *Collins English Dictionary* (second edition) and the *Encyclopaedia Britannica* (15th edition).
- All who enter the Tournament will receive a special certificate from *The Times*

2. DIAGRAMS

In this diagram, there are squares which can be considered alike because they contain the same number of the same symbols. List those squares.

3. LOGIC

The owner of a pub discovers that he can make full drinks from the dregs of near-empty glasses. It takes the dregs from eight glasses to make one full glass. If he collects 654 near-empty glasses, how many full glasses can he make?

4. VERBAL

You must complete this word square so that it makes the same English words both downwards and across. By using all of the following letters, what words will complete the square?

	A	B	C	D
1	ADE	ADE	DEE	DAA
2	EED	AAE	EEA	FFF
3	AAA	AAE	FFF	FAD
4	DEA	FEE	ADE	AFE

MBKKSSEEEUUAARRN

ROUND 7 - ANSWERS

Answer 1: PAPER
Answer 2: PAPER
Answer 3: PAPER

MISCELLANY

Answer: PAPER

Answer: PAPER

Answer: PAPER

Answer: PAPER

Answer: PAPER

PAPER

A - - - -
P - - - -
E - - - -
R - - - -

MISCELLANY

Who was the Democratic Party's nominee for American President in 1988?

Answer: MICHAEL J. DUKAKIS

Answer: MICHAEL J. DUKAKIS

Answer: MICHAEL J. DUKAKIS

Answer: MICHAEL J. DUKAKIS

Answer: MICHAEL J. DUKAKIS

Answer: MICHAEL J. DUKAKIS

1. MATHS

In a special game which lasts exactly 60 minutes, there are 11 players on the field of play. However, four reserves substitute in and out. Each person, including reserves, plays an equal amount of time. How many minutes does each player play?

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THE ARTS

Not much horse sense

TELEVISION

Sheridan Morley

The best television documentaries of Melissa Llewelyn-Davies have frequently concerned the lost tribes of Africa. Last night for Channel 4's *Caring Edge* she found another one, though now rather closer to home. *Anyone for Polo?* was an anthropological look at people who sounded as if they have somehow managed to get their polo mallets rammed down their own throats.

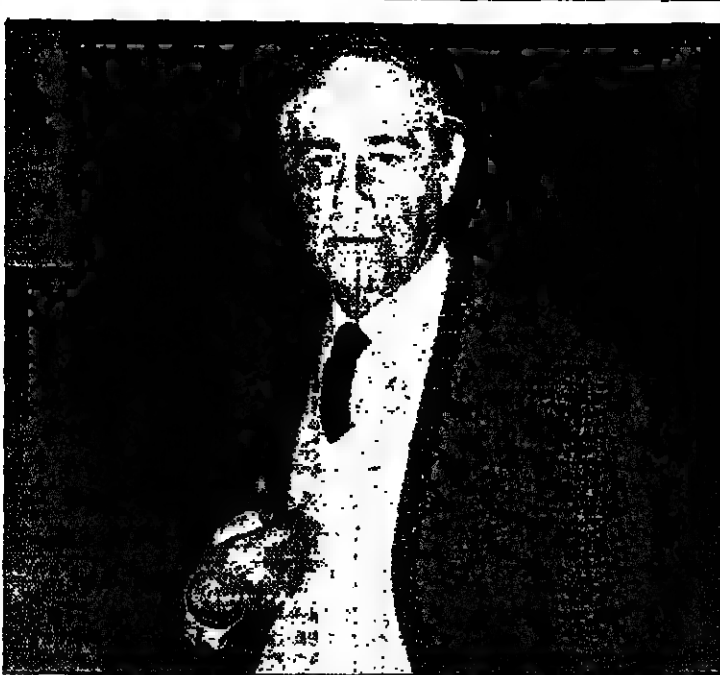
Starting with the veteran Lord Gower himself, Llewelyn-Davies went through the ranks of polo sponsors and their managers and players, passing to interview a woman who seems to believe that the cultural basis is business, and another who had considerable difficulty breaking a bottle of champagne on a huge stone. True, she did refrain from using his head, but the sequence still seemed to have come straight from a Monty Python film about upper-class rituals of the year, and the similarity was not much lessened when several of them got into drag for a nightmarish polo cabaret.

Llewelyn-Davies refrained from making obvious sociological or economic points, allowing her interviewees gently to clothe themselves to death with their own small talk. The Marquess of Milford Haven admitted to owning several small helicopters and property companies before elegantly regretting that a lot of new money had come into the game.

Men still better able to talk without moving their lips added up the costs of a polo team and reckoned they came out at about £150,000 per summer. One thought it a pity success could be so easily bought, while a splendidly bossy lady in a green helmet remarked of a recently dead horse that it had just played the chicken of its life. Asked why the players did not wear more protective clothing, Major Ronald Ferguson disarmingly admitted that it was "because we are stupid".

The programme did make some attempt to compare and contrast the old polo money and tradition of Gower Park with the newer and more aristocratic Royal Berks Club, but came to no very definite conclusions except that the answer now seems to lie in sponsorship and tough wives. "How much are you spending?" a wine sponsor was asked. As he opened his lips to reply, the wife told him that he did not want to do that, and sure enough he didn't, so we never found out.

Prince Charles was seen rapidly vanishing into tents, helicopters and cars, though whether to avoid the tough wives or the sponsors was never explained. In the end, said one team manager, it is all about controlled aggression. The dead horse would doubtless have understood.



Gian-Carlo Menotti aims to introduce new talent to the wider world

Andrew Gibbon Williams on plans for a Scottish Glyndebourne

'McNotty's' northern sights

Britain may be getting another small, Glyndebourne-style opera house, if plans by the Italian-American composer Gian-Carlo Menotti come to fruition. Menotti, best known for operas such as *Amahl and the Night Visitors* (the world's first television opera), *The Consul*, *The Telephone* and *The Medium*, wants to set up a "theatre school" in the grounds of his mansion, Yester House, 25 miles outside Edinburgh. This will include the conversion of a large, derelict stable block into an intimate, 400-seat opera house.

Here he wants to work with trained singers, musicians, conductors and set-designers for several weeks each spring and then

mount a short public season. Its aim would be to discover new talent, and then to introduce it to the wider world via his "Festivals of Two Worlds": in Spoleto, Italy (which he founded over 30 years ago), and Charleston, South Carolina.

Menotti conceived the project a few years ago. East Lothian Council and the Scottish Tourist Board were enthusiastic, and a local architect drew up plans. But raising the estimated funds the project needed — more than £1 million — proved impossible. Now that business sponsorship is more forthcoming, Menotti is optimistic. Since he will be 80 next year, there is a degree of urgency about the venture.

Although he has lived in the East Lothian village of Gifford for the past 15 years, Mr "McNotty's" international fame goes largely unnoticed in Scotland — though two years ago the Edinburgh Festival did stage *The Medium*. Menotti's reputation abroad, however — based on his old-fashioned unflashiness and relish of traditional Italian operatic values — has continued to grow.

Foreign commissions pour in, especially from the United States, where *Amahl* made him a household name. He composed an opera to celebrate the Seoul Olympics, in 1988, and is currently working on an oratorio for the Atlanta Symphony Orchestra.

Straussian greenery

OPERA

Hilary Finch

Daphne

Queen Elizabeth Hall

The laurel with which the Chelsea Opera Group have chosen to crown themselves in this, their 40th anniversary year, is that which Apollo made for his own garland, and which Richard Strauss took as inspiration for his late, single-act opera.

The theme of man's reconciliation with nature makes it the green opera par excellence for our turning century; yet few British companies are taking it on. Opera North showed some four years ago how its somewhat static drama could be staged; Chelsea Opera have now confirmed its strengths in concert performance, even with a less than ideal cast and with an orchestra stretched to capacity.

For Strauss's is, first and last, a purely musical metamorphosis. *Daphne* with its diaphanous polyphony, its sunlit scoring, its burgeoning and intertwining woodwind writing, belongs to the world of the late *Metamorphosen* themselves, even the last great transmutations of the *Four Last Songs*. A concert performance focuses the ear wonderfully on Strauss's undergrowth of motifs, references, his fertilization of one theme with another; and Norman Del Mar, conducting, engaged the listener's imagination consistently with Strauss's own.

With its ready oboe solos, and flute playing sweet enough for the breath of the shepherd-suitors Leukippos himself, the orchestra recreated the Dionysian dances, the lightning bolt, the final, magical stirring of melody and growth with conviction enough to excuse the somewhat clumsy brass playing and shaky entries.

Strauss wanted light, lyrical voices and, by and large, he got them on Sunday night. Teresa Cahill's Daphne had interesting mossy undertones, but a sustained lack of focus in voice production and diction meant that she was at her best only when she was well on the way to becoming, in wordless melisma, a green thought in a green shade.

Justin Lavender, as her unfortunate human suitor Leukippos, invoked Dionysus with resonant clarity and died a properly lyrical death. Apollo was sung with blazing, occasionally overheated, force by Kenneth Woolman, who nevertheless gave a glowing account of his daily round. The recovery of the evening, though, was Hilary Summers as Oia. An earth-mother with a true, gravely distinctive contralto of remarkable range, she is still a student at the Royal Academy, and should be keenly watched and carefully nurtured.

Stephanie Billen on today's announcement of Japanese sponsorship for the National Poetry Library

Yen mightier than the pen?

Where do all the poems go? The short answer might be the Poetry Library.

South Bank. But even the National Poetry Library has to admit defeat on some inquiries it receives daily from readers anxious to re-discover long-lost poems.

The Lost Quotations noticeboard, where lines are displayed in the hope that they may be recognized, is just one special feature of a dedicated library that is only now receiving the support it deserves. Announced today is the news that the 20th-century collection, which has hitherto been financed solely by the Arts Council and the South Bank, is to receive a donation of £200,000 from the Japanese hotels-to-banking group Saison. It is thought to be the largest corporate gift ever made in support of poetry in this country. However, the library must in future be known as the Saison Poetry Library.

The renaming is causing the concern to the Arts Council, which has always owned the collection, if not the spaces in which it has been housed. Literature director Dr Alastair Niven says: "I hope it will not be confusing to members of the public — who may want to know what Saison poetry is, whether it is some weird form of Japanese haiku. But one has to accept the reality that commercial sponsorship is very often dependent upon carrying the name of the brand."

The real irritation seems to be, as Niven puts it, that "the Arts Council hasn't been given any choice in the matter. It has all been negotiated between the chairman of the South Bank and Saison. I

don't think it is the most courteous way to proceed."

Richard Pufford, general director of administration at the South Bank Centre, responds: "I don't feel that people are confused about the location and purpose of the Tate Gallery, and I don't think that poetry-lovers will be confused about the location and purpose of the Saison Poetry Library." He defends the South Bank's decision, saying "The Arts Council only owns the collection, and not the building. We are naming the venue, not the collection."

The Arts Council seems less worried that it should be Japanese money that is benefiting the reference and lending library which Philip Larkin referred to as "one of the occasional flowerings of the imagination for which the English are so seldom given credit". "I have no objection to getting money from overseas countries. If that's a recognition of the quality of British poetry then that's fine," says Niven. "I do think that Saison should be congratulated, and I don't have any anxieties about their role."

A huge group, which owns the Inter-Continental Hotel Corporation, has a reputation for supporting the arts, notably the Giza Saison Theatre in Japan, where the innovative programming has included *Pierrot's Corners* and *The Mahabharata*. The chairman, 62-year-old Seiji Tsutsumi, has himself published 10 books of poetry and 10 novels under the pen-name Takashi Tajiri.

He is a businessman with a touch of romance about him: "I have always believed that business should carry with it the seeds of

culture, and I hope this gift may encourage the Japanese and English peoples to appreciate each other's literature and find out how much we have in common."

This aim is being interpreted by the South Bank as broadly as possible. Certainly there are no plans to start turning Japanese. Somewhat to their surprise, however, the librarians have discovered that they do already possess two of their benefactor's poems, printed in one of the 40,000-volume collection's six Japanese anthologies. But only one volume of his, *Time of Rust*, offers translations:

No-one has walked in the tracks of time;
the bare trees and the stones
keep receding, and at the window
where the wind sways
the sun is blazing inside out.
The prison rainbow effervesces.
Light stops still at the field's edge.

An offence demands a limpud place name.

Let us make, before the wind subsides,
flowers bloom in the scales.
Rust announces a conception.

The blind-bell longs for thunder-clouds,
and a shrill voice runs darting.
The madness within the next
and the blue sky
face each other over the treetops.

The tracks of time are a tower.
No man can watch it.

The library is anxious to become more widely known, and would like to increase its links with schools, but in practical terms the Saison money will mostly go towards paying for work that has



Touch of romance: Saison's Seiji Tsutsumi, a poet and arts sponsor

already been done. One considerable expense was the move from the Arts Council's Piccadilly headquarters to the Festival Hall's fifth floor in December 1988, as part of the Arts Council's renewed "arms-length policy". It cost £400,000 to transform the area from a hide-hole for researchers into a properly accessible resource, open longer hours than virtually any other library in the UK — from 11am to 8pm seven days a week.

Among its attractions are an impressive section of children's books, poetry magazines, press-cutting files, cassettes and videos. Use of the library has increased by

400 per cent since the move, with membership now in excess of 7,000.

Meanwhile, by coincidence, the flourishing Lost Quotations board seems to be offering its own congratulations to the library. Among the snippets of poetry which have been seeking a home in recent weeks are the following: cheery lines:

Once there lived in far Japan
A happy Jappy chappie...

They may not have found the author yet, but in the benevolent person of Seiji Tsutsumi, they appear to have found their man.

Cerebral celebration

THEATRE

Diane Hill

L'Idée fixe
Hébertot, Paris

A pragmatic family doctor and a philosopher, newly scalded by an unhappy love affair, fall into conversation while on holiday by the sea. Their contradictory views of life generate an engaging pole of attraction the basis of *L'Idée Fixe*, a literary encounter of the intellectual kind, imagined in 1931 by the French writer and thinker Paul Valéry.

Written at the request of a pharmaceutical company seeking to flatter its clients with the spirit of philosophy, the text was adapted for the stage in 1961 by Pierre Fresnay and Pierre Frank. A memorable, but distinctly cerebral, production. This revival,

almost 30 years on, with Pierre Arditi as the philosopher and Bernard Murat the doctor, reveals the work to have a heart as well as a head.

Murat also directs the production, successfully shaping the esoteric, and at times quaintly outdated, dialogue around a fully fleshed physical portrait of two men of contrasting personalities — one tortured by a gaunt idealism, the other a picture of stability. He makes agile use of Nicholas Sire's realistic design to inject movement and physical tension into the static text. Nothing is forced; the text is allowed naturally to flow and ebb.

Perversely, it is this lack of theatricality that makes the text work as a piece of theatre, releasing it neatly from being little more than a stilted dramatization of a Reith lecture.

Reviving *L'Idée fixe* has long been something of an obsession for Murat and Arditi, and as a

Philosophical: Bernard Murat (left), Pierre Arditi in *L'Idée fixe*

piece of self-casting it certainly works. Arditi's hollow-cheeked handsomeness — not so long ago applied cast in a justifiably short-lived French production of Tom Stoppard's *The Real Thing* — here admirably puts a face to the tormented professor. He tempers agitated gesturing with a poetic sensibility that begs sympathy and understanding; in other hands, it could have come over as mere fidgeting.

Murat, better known as a director, acquits himself equally well as

an actor, with his curly-headed roundly amplifying the doctor's down-to-earth philosophy.

Valéry clearly gave value for money, for this is indeed a work that flatters the intelligence. Those who had wits sharpened by it will certainly question the static source of Jacques Wenger's lighting design, which, while painstakingly progressing the action from a blazing late summer afternoon through to a burnished early evening, ignores the reality of Kepler's laws of planetary motion.

his sensitive blending with department of the orchestra in the third movement, and his determination that the successions of the second should be musical ideas first and grimaces second.

After being cast here in supporting roles, Rozhdzhevsky and the orchestra enjoyed themselves again in what one might call Brahms's *Ninth Symphony*: the C minor piano quartet as orchestrated by Schoenberg. Listening to this, one seems to hear three pieces at once: the original Brahms (in the finale where the orchestration falls back to string trio); a plausible Brahms symphony, when the instrumentation is Brahmsian, and something almost comically implausible when Schoenberg forgets his piety and gives the music a very un-Brahmsian vividness, often with the help of such instruments as glockenspiel, triangle and xylophone.

Rozhdzhevsky and his players relished this larger-than-life quality of the music: the opportunities for ostentatious showmanship, and, in the finale especially, for Viennese schmalz from the strings cooped with oom-pah low life from the brass. Over the top, yes, but this exuberant performance convinced one that the Brahms-Schoenberg beast is not likely to be found anywhere else.

CONCERT

Paul Griffiths

LPO/Rozhdzhevsky
Festival Hall

This was a very positive concert. After a big, forward performance of Schubert's *Alfonso and Estrella* overture, Gennadi Rozhdzhevsky and the London Philharmonic were joined by Daniel Alexeev for the second Prokofiev piano concerto, a work which throws every possible challenge at the soloist, but which Alexeev surmounted with as much grace as if he had been playing Mozart.

It was not that the tumults of the outer movements were scaled down: Alexeev can certainly convey strength and conviction in his resolute bass and his extraordinarily brisk, accurate right hand, and it was this control, the impression he gave of never being at the end of his technical tether, that made the performance so excitingly musical. There was also

John Lill

In the Sir Charles Groves birthday concert, reviewed yesterday, the solo pianist was Radu Lupu, not John Lill as stated.

Much too mush of a good thing

ROCK

Jasper Rees

Ruby Turner
Dominion

Ruby Turner must have been doing something right to have encouraged the likes of Cecil and Linda Womack, Junior Walker and the Temptations to collaborate with her over the years. But whatever it is, she wasn't doing it at the Dominion Theatre.

What presumably attracted these soul heavyweights was Turner's voice, which can blast out a Motown cover with gusto. But on stage, unlike in the studio, there is no one to control its pyrotechnics, Turner least of all: improvising a vocal cadenza in "I'd Rather Go Blind", she overembellished it shamelessly.

She may have picked up the habit of overdoing things from Womack & Womack, never ones to perform a song once if they can get away with reprising it at double length. She also took more time than she needed on an initially sweet rendition of the Eagles' "Take it to the Limit", and the same went for pumped-up versions of Martha and the Vandellas' "Nowhere to Run" and Stevie Wonder's "Signed, Sealed, Delivered".

The Womacks composed three of the songs for Turner's new album *Paradise*, though "See Me" in particular sounded more like a cast-off than a gift. Like other material written for or by Turner, it put the *ff* and the *é* back into soul, whipping it up into soufflé.

Unhelpfully, Turner was backed by a six-man blunt instrument. White artisans rather than black artists (bar one), they performed like the resident band of a second-rate nightclub in some Alpine ski resort — good at thrashing out a musical pastiche (they even at-

tempted some unsprightly reggae), but short on finesse.

Bass player Paul Turner entered on crutches, but turned out to be the only one for whom the symbolism was not apt. Chris Taylor, proving that it takes more than a pair of shades to tinkle the ivories like Steve Nieve, per-

petrated some particularly brutal board-bashing.

Their second encore found them finally at home. A high-voltage Fats Domino cover, it brought out the latent pub-rock in Turner. A mid-career switch? She could do worse than turn from schlock and soul to rock and roll.

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Ruby Turner: in need of control

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Vita's bargain basement buying pays off

[illegible]

Barings' books opened to reveal £66m surprise

By Neil Bennett

Barings, the merchant bank, has revealed its pre-tax profits and inner reserves for the first time in its 228-year history. The bank made £65.9 million in 1989, up 154 per cent.

Until recently, Barings, like other banks in the City, was allowed to report its profits after tax and transfers to inner reserves. Last year it reported a net profit of £8 million. Only 20 to 30 people within the bank were allowed to know the value of its inner reserves.

Now the bank has revealed its inner reserves were £27.3 million in 1988, and its actual pre-tax profit was £25.9 million. Full shareholders' funds at the end of last year were £182 million, compared with

1988's "official" figure of £125 million.

Inner reserves are used to smooth out volatile profits from merchant banking, and present a solid front to the public. However, by 1993 under European Community law, all banks will be forced to declare the full value of their reserves.

Mr Peter Baring, in his first year as chairman, has decided to make the change early as he says the advantage is outweighed by the problems of secrecy. "The time had come. We don't really feel we need inner reserves to present our standing to the public any more," he said.

The bank chose a strong

year to reveal its true performance. More than half the profits came from Baring Securities, which continued its success in the Far East, and increased staff numbers by 40 per cent to 800.

The banking division meanwhile issued £14.9 billion in bonds during the year, while the asset management division increased funds from £12 to £16 billion.

Mr Baring denied the bank had decided to declare its figures solely because they were so strong. "We would not have disclosed if we had had a really bad year, but it would have been easier if profits had not been quite so good."

He also denied that the

change is a sign that Barings is looking for a buyer.

"It is absolute rubbish. We have seen many unfortunate results of financial businesses being acquired by larger groups," he said.

Barings is wholly-owned by the Baring foundation, a charitable body, while the voting shares are distributed among the management.

Brokers in the City were surprised at Barings' decision to open its books, but did not think that it will be followed by other banks until the deadline in 1993. The main independent banks which will follow the practice are Hambro, SG Warburg and Schroders.

Hobsons falls into a loss of £520,213

By Melinda Wittstock

Hobsons Publishing, the educational and technical publisher, reported a loss of £520,213 for 1989, against a pre-tax profit of £1.09 million in 1988, which had been overstated by £239,000 due to a "breakdown in accounting controls," and have now been restated at £849,499.

Hobsons called in an accountancy firm last November after discovering that the financial position of Bodytalk, acquired for £840,000 million in August 1988, had been overstated by the vendors.

Pre-tax profits of £152,000 for the first half of 1989 had also been overstated, and it should have reported a loss

Mr Adrian Bridgewater, Hobsons' chairman and chief executive, said he blamed the 1989 loss on poor overhead cost control, a disastrous effort to computerize and the misguided acquisition of Bodytalk, which incurred substantial losses in the year.

Mr Bridgewater said writs had been served for the recovery of £639,000 of the Bodytalk purchase price, and he expects a hearing in June.

Mr Trevor Bedford, of Ernst & Young, is to be financial controller and Mr Vivian Coghill, an accountant, a non-executive director responsible for finance. A final dividend of 10.1p (10p) makes 12.5p.

Shareadvance accused of VAT fraud

Shareadvance, formerly Bom Holdings plc, and three executives, were accused of a £367,500 VAT fraud at Horseferry Road Magistrates Court yesterday.

Shareadvance, of Victoria, two of its financial directors, Mr Richard Bacon, aged 42, of Denham Drive North, Camden, and Mr Richard May, aged 43, who gave one address as Shepherd's Hill, Bracknell, Berkshire, are jointly charged on three counts of furnishing VAT returns which were false in that they omitted details of the VAT liability of Alban-code Group, a Shareadvance subsidiary. Also charged is Mr Roy Pearce, aged 29, of Yew Close, Witham, Essex, Alban-code's financial controller.

The case was adjourned until April 9.

COMMENT David Brewerton

High Noon arrives for the Saatchi brothers

At High Noon today, Saatchi & Saatchi holds its most difficult, but most important, shareholders' meeting since it came to the stock market nearly 20 years ago. For the second time in two years, the board faces shareholders who have seen the value of their shares collapse, not this time because of a "black Monday", but because profits have disappeared.

On trial will be not the chief executive, Robert Louis-Dreyfus, who did nothing to put Saatchi into its fine mess but has been hired to get it out, but the brothers themselves. They built the group with a combination of luck, skill, intuition, talent and hard work. Most of those qualities seem now to have disappeared. Luck has certainly run out: look at the share price, look at the impending downturn in advertising. Skill? Intuition? There has been little of either in evidence for the past couple of years. Talent does not waste away or get used up, but without motivation it cannot rise to the surface. As for hard work, that is a matter to be addressed to the directors when shareholders question the value they get from the brothers' £625,000 pay packets.

But while it is the brothers who must answer for the past, the future has to be the preserve of Mr Louis-Dreyfus. There are two priorities: to restore profitability and rebuild the balance sheet. We are told, through the curious system of Press leaks that passes for shareholder information, that the banks have promised to see the group through its crisis with adequate credit. That does imply that the telescope is not as fogged as we might imagine, and that the end of the crisis is in sight. Longer term, there is the disposal programme and scope to run the business with a meaner use of cash. Information, please, on both matters.

On the profits side, Saatchi will find itself running up a down escalator. As fast as costs are carved away, revenue looks like coming under pressure. It would be helpful, today, to have a more precise forecast than the admission, after a share price collapse two weeks ago, that profits would not match market forecasts. Communication from a communications group is not, after all, too much to expect.

RSVP or be the loser

There was always a danger that wider share ownership might lead to second-class share ownership. The puzzling thing is that the Government appears to be aiding rather than discouraging this. Administrative costs of personal equity plans, for instance, have encouraged some managers to levy

deterrent payments for items such as attending meetings in order to keep basic charges down.

John Redwood, the corporate affairs minister, has now made an order that will allow companies to send shareholders summary financial statements and not their report and accounts. These might be similar to employee reports sent out by some companies, though they must include specified basic information.

Shareholders must give their permission and there is nothing wrong with offering an extra choice. But the regulation has been framed to allow passive selling of the summary option. If the shareholder does not take positive action to return a reply-paid card, the report and accounts need not be sent in future.

This is against the advice of the Stock Exchange, which wanted shareholders to have to opt positively for a summary instead of accounts. Companies that value small shareholders will take the Stock Exchange line rather than exploit the regulation. There is no reason to think that new small shareholders are, on average, less financially acute or curious than the old class of private investors, whose wealthy sophisticates were matched in due proportion by Sid's progenitors in caricature: the vicar and Aunt Agatha.

Retail sales maverick

A couple of weeks ago, retail sales like those unleashed yesterday might have shaded Budget decisions one way or the other. By now, however, the Chancellor has drawn up his game plan and is quietly preparing himself for the whistle. It may be just as well. The 2.4 per cent rise in retail sales in February is the biggest monthly increase since last May and turns the three-month trend upwards. Taken with the recent rise in the narrow measure of the money supply, mainly notes and coin and therefore tracking retail spending quite closely, and with the less impressive trend in imports revealed by the latest trade figures, the figures provide plenty of ammunition for those who remain worried that consumer spending is not slowing fast enough.

Those unimpressed by a single month's figures point out that the retail sales series is volatile and particularly so at this time of year when seasonal adjustments may not properly reflect the pattern of demand. In so far as spending may stem from need to repair storm damage, the February figures may be exceptional. In any case, year-on-year growth in retail sales volume is still well below that of a year ago.

C&W deal saves face in HK

Cable and Wireless has agreed to buy half the Hong Kong government's 6.8 per cent stake in Hong Kong Telecom at the same time and at the same price as its planned sale of 20 per cent of the communications utility to Citic, the Chinese government investment company.

The deal, subject of a previous informal agreement, apparently saves any loss of face by the HK government selling to the Chinese.

Mr Rod Olsen, finance director of C&W, said the HK government "could not deal direct with Citic."

As a result of the HK\$1.7 billion (£135 million) purchase and the HK\$10 billion sale to Citic, the C&W stake in HK Telecom will fall from 75.2 per cent to 58.6 per cent. C&W says it has no plans to dispose of any more of its HK Telecom stake and has agreed with Citic not to do so for a year after the deal. Announcement of the deal indicates that Citic's complex financing package is advanced.

M&S opens in Madrid

Marks and Spencer is opening its first full Spanish store tomorrow. M&S has spent £2.2 million refurbishing the Celso Garcia store in Madrid, which creates more than 120 jobs, and is a joint venture with the Cortefiel, the Spanish retail group.

French buy

Pembroke Investments, the group which won its £700 million bid for DRG last November, has agreed in principle with two French funds to acquire DRG's French paper businesses. The funds, White Knight I and White Knight II, have agreed to buy Etablissement Deforges and Papeterie de la Couronne, Europe's largest envelope maker. No price was given.

Bullers drops

Pre-tax profits at Bullers, the giftware and fine art group, have tumbled to £175,000, from £705,000, in the year to end-December. Group turnover fell to £9.9 million (£10.8 million). The final and total dividends are unchanged at 1.5p and 2p respectively on earnings per share of 0.03p, down from 3.9p.

Sandelson takes panel brief

The directive from the European Commission that the Takeover Panel should have statutory origins - rather than its voluntary, self-regulatory basis - coupled with more local calls for a tightening up of the Takeover Code in the aftermath of the House of Fraser report, have conspired to cast an interesting light on the panel's latest choice of recruit, Jeremy Sandelson, aged 32, is, from the end of April, to become joint secretary to the panel, sharing that role with Adrian Clark, from Ashurst Morris, and replacing Richard Cadden of Linklaters. Apart from his age, which is surprising enough, Sandelson's appointment has caused considerable comment in informed circles since he is a litigation partner at City law firm Clifford Chance, more used to tackling complex cases of company or banking fraud. And litigators of any persuasion are not normally chosen for such a role - in the past lawyers seconded to the panel have traditionally been commercial or corporate finance specialists. So does this signify an imminent increase in litigation undertaken by the panel? Cambridge graduate Sandelson, who was made a partner of his firm two years ago, says, intriguingly, "They have indicated that my skills as a litigator will be useful when it comes to detecting covert parties and making sure that we get accurate evidence - generally taking a more investigative approach."

Perkins enjoys good health

By Gillian Bowditch



Fruitful profit: Howard Phillips, of Perkins Foods, yesterday

Perkins Foods, the USM-quoted food manufacturer and distributor which gobbled up £33 million worth of acquisitions last year, says the trend towards healthier eating and the political events in Eastern Europe are opening up profitable opportunities.

Pre-tax profits for the year to December 1989 were £9.78 million, up from £2.84 million for the 15 months to December 1988. Sales almost doubled from £63.7 million to £134 million, earnings per share jumped by 39 per cent to 7.8p and the dividend rose by 24 per cent to 3.1p.

The group, which has no gearing, received interest of £1.36 million up from £195,000. There was an extraordinary loss of £371,000 relating to the sale of John Perkins (Meat Packers) to its management in May.

Mr Howard Phillips, chief executive, said the group is to create a broadly-based Northern European food group. Last year, it bought two Dutch companies, a fresh fruit and vegetable wholesaler and a mushroom processor as well as three European frozen food manufacturers.

Mr Phillips expects further acquisitions particularly in West Germany where the industry is fragmented, the economy is strong and where there are possible opportunities to expand into Eastern Europe. The shares were unchanged at 113p.

Anglo United to sell fuel interests

By Angela Mackay

Anglo United, the mining group, has formally put its liquid fuel distribution and oil and gas interests up for sale to raise at least £65 million to pay off expensive bridging finance acquired in the company's £478 million takeover of Coalite last year.

Mr David McErlaine, chairman of Anglo, said he had been "inundated" with approaches to buy the businesses. So far, the company has recouped £155 million from the sale of its quarries, waste and builder's merchants businesses.

Mr McErlaine would not

put a price tag on the assets now on offer, but said the company should be able to announce the results of the tenders in early April.

Merchant banks Samuel Montagu and Morgan Grenfell have invited offers for Charrington-Hargreaves, one of the UK's biggest independent liquid fuel distributors, Freedom Lubricants and Coalite Oils.

Anglo also announced it would be taking up its full entitlement in a rights issue for its 30 per cent associate, NSM plc, at a cost of about £10 million.

Libra Bank to close and pay creditors

Libra Bank, the London-based consortium bank specialising in Latin America, will wind down operations and repay its creditors, a senior bank official said yesterday.

Libra, until now a leading market-maker in sovereign loans, will issue a statement tomorrow.

Libra's shareholders are Chase Manhattan Bank, Swiss Bank Corp, Westdeutsche Landesbank, National Westminster, Royal Bank of Canada, Bancomer, Banco Itau, Credito Italiano, Banco Espirito Santo e Comercial de Lisboa, and Mitsubishi Bank.

Chase, with 23 per cent of voting rights, is Libra's largest shareholder.

Towering Dudley

Dudley's hopes for the world's tallest tower will take a step forward today when the Duke of Gloucester starts the first test bore there, 500 feet into the rock strata below the Midlands town. The Duke's bore will be followed by a series of tests, which could lead to Black Country twins Roy and Don Richardson - who were born and still live in Dudley - being given the green light for their 2,000 ft, £100 million tower. According to Tarmac, which is organizing the drilling, the twins have received inquiries from round the world, including North America, Japan and Taiwan, from companies wanting to be involved, especially on the communications side. Meanwhile, another of the twins' investments - financial services-turned-specialist recruitment group Burns Anderson, where they own 18 per cent - has been given something of a boost by respected former ICI boss Sir John Harvey-Jones. Although due to retire as chairman of Burns Anderson in a couple of months time, Harvey-Jones has just exercised his entitlement to 200,000 shares in the company - worth £130,000 - and says he intends to keep them as an investment.

When Ray Parsons, chairman of Bowthorpe Holdings, walks into Buckingham Palace today he will be treading in the footsteps of his predecessor, the late Jack Bowthorpe. Parsons, aged 78, will be collecting his CBE, just as Bowthorpe did before him.

Debt lives on

The Japanese have introduced the first-ever 100-year mortgage under which, in a reversal of the normal scheme of things, the descendants pay for the house. Under the Nippon Housing Loan, the family contracting the loan pays interest only - their children and grandchildren eventually pay off the rest.

THE TIMES CITY DIARY

Shearson wields the axe

David Carleton-Paget and David Adams, both former partners of L. Messel, the British broker that became part of Shearson Lehman, were among the 30 people made redundant by the American securities firm yesterday. All from the UK and European trading, sales and research departments, an in-house spokesman told me that they were "part of the 2,000 worldwide cut-back announced at

the end of February, to take effect by the end of March. We are not pulling out of the UK market - it's a belt-tightening exercise." Last week the firm - which employs 1,050 people in the UK - announced 12 redundancies within its fixed interest division in London, and a similar number of jobs are expected to be lost in Shearson's UK-based banking and asset management operations - within the next week.

Same again

Precisely what Jon Summerill, chairman of Yellowhammer, the ad agency, has against the rest of his industry, no one can be sure. But as his company unveiled disappointing fig-

ures, disheartening analysis from excellent results from rival Frank Lowe's Lowe Group, those with long memories recalled that equally disastrous interims from Yellowhammer in December similarly took the sheen off another sparkling set of results - from Gold Greencroft Trot. But this time round, it was Frank Lowe who had the last word. Referring to Yellowhammer's shrinking market capitalization - £3.8 million and falling - he growled: "Companies that size shouldn't be public."



"Losing down sales are picking up."

TDG develops strongly for the future

● During 1989 much progress was made in restructuring the Group. The sale of Square Grip for £59 million in January 1989 enabled us to invest strongly in our core businesses of transport, storage, distribution and plant hire. The full benefits will only accrue in the coming years.

● Profits of the UK storage and distribution companies moved well ahead but UK transport operations faced difficult conditions, particularly in the second half year, and a few companies turned in very poor results which have affected the outcome for the year.

● The plant hire companies increased profits, despite the cut back in housebuilding and slow release of expenditure on roads.

● Profits of Group subsidiaries in France and Holland held up well. A regional transport company was acquired in France, and a majority interest taken in a Portuguese transport undertaking.

● The North American interests generally flourished, and there was a significant improvement in profits from Australia.

● In total, turnover of the continuing businesses for the year was £572.7 million (1988 £489.0 million). Group profit before tax was £41.5 million (1988 £47.1 million).

● A final dividend of 6.5p per share, making a total for the year of 9.5p (1988 9.5p) is recommended, payable on 11 May 1990.

● In the current year, United Kingdom profits are ahead of the previous year but conditions in overseas markets are more difficult and profits there are not matching those of last year.

TDG

TRANSPORT DEVELOPMENT GROUP PLC

Copies of the Annual Report will be available from The Secretary, Transport Development Group PLC, Windsor House, 50 Victoria Street, London SW1H 0NR from 2nd April.

Carol Leonard

UNLISTED SECURITIES

FOREIGN EXCHANGES

Exchange index compared with 1985 was down at 86.3 (day's range 86.2-86.4).

STERLING SPOT AND FORWARD RATES

Market rates for March 18	Range	Close	1 month	3 month	Other sterling rates
New York	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Argentina pesos* 7.657-7.657.95
London	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Australia dollar 1.2288-1.2290
Frankfurt	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Belgian franc 2.0020-2.0020
Paris	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Brazil cruzeiro* 0.4448-0.4448
Geneva	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Canada dollar 0.7650-0.7750
Brussels	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Denmark kroner 1.4668-1.4668
Amsterdam	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	France franc 228.40-261.50
Stockholm	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	German mark 1.2820-1.2820
Oslo	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	India rupee 27.31-27.31
Copenhagen	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Israeli sheqel 4.0495-4.0495
London	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Japanese yen 149.48-149.48
Frankfurt	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Malaysian ringgit 4.2659-4.2672
Paris	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Mexico peso 16.4980-16.4980
Geneva	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	New Zealand dollar 2.7322-2.7338
Brussels	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	South African rand 4.9940-4.9940
Amsterdam	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Singapore dollar 0.7192-0.7192
Stockholm	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Sri Lanka rupee 1.4148-1.4241
Oslo	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	Taiwan dollar 4.1912-4.1912
Copenhagen	1.6000-1.6130	1.6000-1.6100	1.01-1.009	0.71-0.709	US dollar 0.9548-0.9548

*London Bank. Rates supplied by Bank of England Bankers GTS and BNL.

DOLLAR SPOT RATES

Market rates for March 18	Range	Close	1 month	3 month	Other dollar rates
New York	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Argentina pesos* 7.657-7.657.95
London	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Australia dollar 1.2288-1.2290
Frankfurt	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Belgian franc 2.0020-2.0020
Paris	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Brazil cruzeiro* 0.4448-0.4448
Geneva	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Canada dollar 0.7650-0.7750
Brussels	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Denmark kroner 1.4668-1.4668
Amsterdam	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	France franc 228.40-261.50
Stockholm	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	German mark 1.2820-1.2820
Oslo	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	India rupee 27.31-27.31
Copenhagen	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Israeli sheqel 4.0495-4.0495
London	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Japanese yen 149.48-149.48
Frankfurt	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Malaysian ringgit 4.2659-4.2672
Paris	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Mexico peso 16.4980-16.4980
Geneva	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	New Zealand dollar 2.7322-2.7338
Brussels	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	South African rand 4.9940-4.9940
Amsterdam	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Singapore dollar 0.7192-0.7192
Stockholm	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Sri Lanka rupee 1.4148-1.4241
Oslo	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	Taiwan dollar 4.1912-4.1912
Copenhagen	1.0000-1.0010	1.0000-1.0010	1.00-1.000	0.71-0.709	US dollar 0.9548-0.9548

Rates supplied by Barclays Bank GTS and BNL.

MONEY MARKETS

Bank Rates %	Clearing Banks 15%	Finance Bank 15%	Overnight 15%	15% 14%	Week 14%
Treasury bill (discount)	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
2 month	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
3 month	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
6 month	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
12 month	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
Local Authority Deposits (%)	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
1 month	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
3 month	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
6 month	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
12 month	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010

Ex dividend = Ex. off. Forecast dividend = Interim payment passed 1. Price at suspension of dividend and yield assume a special payment = Pre-merger figures = Excess dividend = Ex. off. rights = Ex. off. share = 1. Tax-free = No significant data.

THIRD MARKET

Fixed Rate Sterling Export Finance	March 18	March 19	March 20	March 21	March 22
1980 - 1981	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
1981 - 1982	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
1982 - 1983	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
1983 - 1984	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010
1984 - 1985	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010	1.0000-1.0010

LONDON FINANCE

FT-SE 100	Open	High	Low	Close	Vol
Mar 18	3017.8	3030.0	3017.8	3020.0	10000
Mar 19	3017.8	3030.0	3017.8	3020.0	10000
Mar 20	3017.8	3030.0	3017.8	3020.0	10000
Mar 21	3017.8	3030.0	3017.8	3020.0	10000
Mar 22	3017.8	3030.0	3017.8	3020.0	10000

LONDON METAL EXCHANGE

Official prices/previous prices	Market	Vol
Copper 3rd A 1614.0-1615.0	1614.0-1615.0	412700
Lead 1610.0-1611.0	1610.0-1611.0	10000
Aluminum 1610.0-1611.0	1610.0-1611.0	10000
Steel 1610.0-1611.0	1610.0-1611.0	10000
Iron 1610.0-1611.0	1610.0-1611.0	10000

COMMODITIES

London Metal Exchange	Official prices/previous prices	Market	Vol
Copper 3rd A 1614.0-1615.0	1614.0-1615.0	412700	10000
Lead 1610.0-1611.0	1610.0-1611.0	10000	10000
Aluminum 1610.0-1611.0	1610.0-1611.0	10000	10000
Steel 1610.0-1611.0	1610.0-1611.0	10000	10000
Iron 1610.0-1611.0	1610.0-1611.0	10000	10000

MEAT & LIVESTOCK COMMISSION

Live Pig Contract	Open	High	Low	Close	Vol
Mar 18	118.0	118.5	117.5	118.0	10000
Mar 19	118.0	118.5	117.5	118.0	10000
Mar 20	118.0	118.5	117.5	118.0	10000
Mar 21	118.0	118.5	117.5	118.0	10000
Mar 22	118.0	118.5	117.5	118.0	10000

LONDON PORTFOLIO

FT-SE 100	Open	High	Low	Close	Vol
Mar 18	3017.8	3030.0	3017.8	3020.0	10000
Mar 19	3017.8	3030.0	3017.8	3020.0	10000
Mar 20	3017.8	3030.0	3017.8	3020.0	10000
Mar 21	3017.8	3030.0	3017.8	3020.0	10000
Mar 22	3017.8	3030.0	3017.8	3020.0	10000

LONDON PORTFOLIO

FT-SE 100	Open	High	Low	Close	Vol
Mar 18	3017.8	3030.0	3017.8	3020.0	10000
Mar 19	3017.8	3030.0	3017.8	3020.0	10000
Mar 20	3017.8	3030.0	3017.8	3020.0	10000
Mar 21	3017.8	3030.0	3017.8	3020.0	10000
Mar 22	3017.8	3030.0	3017.8	3020.0	10000

LONDON PORTFOLIO

FT-SE 100	Open	High	Low	Close	Vol
Mar 18	3017.8	3030.0	3017.8	3020.0	10000
Mar 19	3017.8	3030.0	3017.8	3020.0	10000
Mar 20	3017.8	3030.0	3017.8	3020.0	10000
Mar 21	3017.8	3030.0	3017.8	3020.0	10000
Mar 22	3017.8	3030.0	3017.8	3020.0	10000

LONDON PORTFOLIO

FT-SE 100	Open	High	Low	Close	Vol
Mar 18	3017.8	3030.0	3017.8	3020.0	10000
Mar 19	3017.8	3030.0	3017.8	3020.0	10000
Mar 20	3017.8	3030.0	3017.8	3020.0	10000
Mar 21	3017.8	3030.0	3017.8	3020.0	10000
Mar 22	3017.8	3030.0	3017.8	3020.0	10000

INVESTMENT TRUSTS

ICR-LOR Group

All products except insurance and reinsurance are underwritten by ICR-LOR Group.

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BUSINESS LETTERS

Managers need to stand up and be counted

From Mr John Ball
Sir, Mr Peter Morgan, in his speech on February 27 to his members in the Institute of Directors, referred to the Establishment having lost its authority but not acknowledging its failures — the middle class salariat and the lumpen-proletariat.

More, please! Repeat it again and again. Mr Morgan, so that it is understood and accepted as something which can be changed for the better. It is a malaise which besets our society and threatens its survival at its current level of affluence. It will rob us of the capacity to put to rights the things which are still wrong with our society.

What was missing from the speech, as David Brewster's Comment column (February 28) touched on, was something even more important. It is the shocking state of managers in British industry — including Mr Morgan's own IOD members and many more. None of them have the mettle required to win Mr Morgan's battle for Britain.

They are in the front line; they design and supervise the production of new wealth. They are directly in competition with active and able managers from all over the

globe. It is the British managers who fall well short of what they are capable of.

Why? Because they, like those targeted by Mr Morgan, are conditioned to avoid personal responsibility. They are conditioned to see, feel, hear and construct views of the world around them from the negative downside, as opposed to the "whatever it is, it can be improved" side.

Very few British managers are self-charged to go for World Best Practice. Collective rather than personal responsibility is the order of the day. They are expert at producing reasons why some thing cannot be done. They prefer to put it to a committee.

This will not be solved by more education of managers, in itself desirable. It is more a matter of cultivating nous, the state of awareness beyond the systemised rigor of the organisation.

It is seeing beyond the ordinary, recognising an opportunity, and despite the risks, causing it to happen. Even if they have to tell their bosses to stop meddling and leave the responsibility where it actually rests — with them.

No one can be excited with the current achievements of

managers of all kinds, when their performance is compared to what could be done.

Most managers are talented, frustrated, dominated and afraid. They need the courage to be themselves and do what has to be done, not to stand idly by complaining that some other unfortunate should be doing something, and not telling them face to face.

I have the privilege of working alongside many managers, who tell me about their real situations. They are afraid to be themselves. Group managing directors and junior managers alike! It is a real endemic condition, which is very serious for the nation.

Will all managers stand up and be counted for what they can be, and discard for ever what they have got to be. If they get fired for doing it, then the company was not worth working for anyway! Managers with the capacity to cause good results are so few that re-employment is inevitable.

Yours faithfully,
JOHN BALL
Fellow of the Institute of Directors
Managing Director, Belvedere Creative Management,
71 London Road,
Marlborough, Wiltshire.

Doubts over proportioning shares in medium-sized firms

From Mr Donald Cobbett
Sir, I am unclear, from his letter (March 6), what Graham Ross Russell means about the International Stock Exchange's apparent proposal of a "proportion of every medium-sized" new public issue of (presumably Ordinary) shares going to intermediaries for apportionment, at second-hand, to the small investor.

When a company initially goes public, by whatever route (and there are several), the intention is — or certainly, was — firmly to issue up a proportion of the Authorised or-

inary capital. Such company, not to mention its underwriters, must know for accounting and operating purposes, the positive outcome of its issue.

I probably misunderstand this latest aim, but I cannot conceive how the above can be achieved if such issue is, as it were, left suspended in the air.

With the siphoning off of a proportion into the hands of new tiers of intermediaries, how can anyone judge whether, if at all, the representative shares have been

taken up. If left in the hands of over-ambitious intermediaries, there is no reason to assume a complete distribution.

Another point: should such shares be regarded as a "snip", they could be placed out into favoured hands.

This has too often been the experience in the past, and a point of continual complaint. Yours sincerely,
DONALD COBBETT,
8 Lammas Park Gardens,
Ealing,
W5,
March 7.

Bank statements

From Mr Frank Selby
Sir, Our clearing banks have written off their LDC loan assets 1 per cent near enough, of our GDP, the "income measure" of which includes company profits. Will those who forecast its growth this year as 2 per cent now have to halve their estimate?

Had the write-offs happened last year (oh, by the way, shouldn't they?), how

would that have changed "fact" and "forecast" of the state of our economy?

Yours faithfully,
FRANK SELBY,
47 Dove Park,
Hatch End,
Pinner.

From Mr John O. Woodcock
Sir, Re: Kenneth Fleet's article, "Bankers and their mistakes" (February 24). How can a letter from banker to customer, about the latter's business with the bank possibly be

a break of banking confidentiality? What nonsense! I should have expected Mr Fleet to know better.

Secondly, for my own education, what are the stock-broking rules stated to have been broken in this case?

Yours faithfully,
JOHN WOODCOCK,
5 Villa Menorca,
15 Burton Road,
Branksome Park,
Poole, Dorset,
February 27.

Foreign exchange helps MAI to half-way £28m

By Melinda Wittstock

MAI, the money broking and market research and advertising group that holds 7.14 per cent of Satellite Information Services, the supplier of televised racing coverage to Britain's 10,000 betting shops, has lifted interim pre-tax profits 20 per cent to £28.3 million.

Favourable exchange rate movements, which helped boost profits at the money and security broking division 42 per cent to £17 million, are credited with almost half the rise in overall profits. Mr Clive Hollick, the managing director, said the profits were not distorted by purchases.

Turnover in the six months to end-December was up 27.2 per cent to £194.6 million, and earnings rose by 13 per cent to 5.2p. The interim dividend is up 17 per cent to 1.4p (1.2p), partly to reduce imbalance between yearly payouts. All MAI's divisions — wholesale broking, retail financial services, media and information — improved. However, Mr



Hollick: German expansion

Hollick said performance on the securities broking side was mixed, with a buoyant US government market and a recovery at its UK gilts operation covering for depressed corporate bond markets. This was particularly true in the US, where MAI cut about \$7 million in costs from its MKI business through closures and redundancies.

Retail financial services profits were up 26.8 per cent to £4.5 million, while those at

the media division, which MAI merged with various interests of Havas, the French leisure group, to create Avenir Havas Media, were up 18 per cent to £7.89 million. But MAI made an extraordinary profit of £93.9 million on the merger and Mr Hollick said its 32 per cent holding in Avenir is now valued at £190 million, up from £147 million at the time of the deal.

The company said it is not worried about the advertising slump in Britain because about 75 per cent of its media operations are on the Continent and in the Far East.

Pre-tax profits in MAI's information services division were up 51 per cent to £1.85 million.

The company has plans to concentrate on building up its moneybroking business in Germany. Mr Hollick said: "It is our belief that the German market will be the principal beneficiary of development in Eastern Europe and we aim to be part of the process."

Astec profits of £5.7m after zero interim

Astec (BSR), the Hong Kong power supplies manufacturer, recovered in the second half after reporting interim profits of zero.

Pre-tax profits for 1989 were £5.7 million (£6.2 million), on sales of £203 million (£207 million). Earnings per share fell from 3.34p to 1.74p; the dividend stays at 3.05p.

The group says the action and disposals taken are paying off and the improvement should continue. The shares rose 1p to 34p.

Westland wins £160m worth of orders

Nearly £160 million worth of orders for Westland Aerospace are a renewed boost for plans to double the size of its parent, Westland Group based in Cowes, Isle of Wight, by 1995.

Westland's expansion plans will call for 400 new jobs in addition to the present workforce of 1,800. The target is to take annual turnover, now £47.3 million, to £100 million by 1995.

The new orders are for aircraft engine nacelles —

casings in which engines are fitted — and have come from three manufacturers: McDonnell Douglas of America, Dornier of West Germany and Hispano Suiza, part of the French aero-engine group SNECMA.

Westland is a leading manufacturer of engine nacelles and flying control surfaces using both metals and composites.

The orders were of great significance, said Mr Alan Jones, chief executive.

Emess lifts its payout as profits grow 24%

Pre-tax profits at Emess, the lighting and electrical accessories group, rose by 24 per cent to £18.7 million in 1989 on turnover 42 per cent up at £146.9 million. This follows 15 per cent organic profits growth and 9 per cent from acquisitions.

Fully-diluted earnings per share rose from 8.6p to 8.7p. The final dividend is 2.2p, making 3.4p (2.86p). Mr

Michael Meyer, the chairman, said the current year would be challenging.

There was an extraordinary loss of £2.3 million on the closure of four of the ten retail lighting sites because of a real and expected fall in demand.

However, there had been extraordinary gains of £5.7 million in the previous two years, which followed rationalization.

New ore discovery for Butte

By Colin Campbell

Butte Mining, developing a base and precious metals deposit at Butte, Montana, has changed its stockbroker to Laing & Cruickshank and appointed Laing's mining consultant, Mr Ian Wright, as a non-executive director.

Butte — one of *The Times* five mining shares of the year — has made a new ore discovery on its Montana property which contains fur-

ther deposits of gold, silver, lead and zinc and adds 5 million tons of potential mineable ore.

Mr Alan Richardson, chairman, says Butte plans to construct a mill at its Montana property, saving at least \$30 a ton in transport costs.

It would cost between \$5 million and \$6 million and could be ready within a year. Butte also plans to increase the depth of its operations via a shaft to mine ore at 1,000 ft

below surface. The development plans suggest Butte will need additional funding.

Significant shareholders in Butte include the Robertson Group (10 per cent), Mr Clive Smith (20 per cent) who with two other non-executives resigned as a director yesterday, and a number of Australian original vendor shareholders with an estimated 7.5 per cent stake.

Butte shares yesterday traded at 26p.

BUSINESS ROUNDUP

Cambridge Water not to seek public status

Cambridge Water, the independent water company owned by employees, directors and the university, does not expect to raise substantial new equity to fund its capital programme, put at £12 million for the next three years alone. Mr Robert Burgin, the managing director, said the company planned to borrow to help finance expansion. Cambridge will not convert to plc status because it believes that, under relaxations allowed by the Water Act, it will be able to have comparable financial freedom except that it cannot diversify.

In 1989, the pre-tax surplus rose by 2.4 per cent to £1.1 million on a 20 per cent rise in sales to £8.8 million. The fixed dividend on the ordinary stock is 3.5 per cent.

Runciman in £3.8m buy

Walter Runciman, on the receiving end of a £47 million hostile bid from Avenis, is to acquire Cardiff International, a haulage business, for £3.8 million. It will pay £2 million initially, of which £1 million will be in cash and £1 million in unsecured loan stock notes, with up to a further £1.8 million payable depending on performance.

Cornwell falls to £4.1m

Cornwell Parker, the furniture group, has suffered a £600,000 drop in pre-tax profits to £4.1 million, on sales of £43.9 million (£37.9 million), in the six months to end-January. The fabrics business was hit by market-place confusion ahead of flammability legislation. The interim stays at 1.6p, on earnings of 7.1p (7.8p).

Broadwell shares fall

Shares in Broadwell Land fell 41p to 148p after the group announced that discussions which may have led to an offer for the company had been terminated. Broadwell, a commercial and residential property developer which came to the USM just over 18 months ago, announced it had an unsolicited approach last December.

The group is believed to have had two approaches: one from a large North American corporation, which may return to the negotiating table.

Really Useful holding sold £700,000 LIG purchases

Mr Andrew Lloyd Webber's Really Useful Group took a further step towards becoming a private company again when its second largest shareholder — Mercury Asset Management with 17.1 per cent — agreed to sell its holding to the buyout vehicle at the price on offer of 233p a share.

London International Group, whose interest include the ColourCare photo-lab specialist, is acquiring four photo-processing operations for £700,000. These include three estate agency photo-processing businesses and SH Slayer, the Oxford-based photo-processing business for retailers.

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The revolution of a profession

The legal profession is facing its biggest upheaval this century. Frances Gibb, Legal Affairs Correspondent, examines the reasons for the sweeping changes and the implications for legal services

The legal profession is at a turning point in its history. Government reforms now in Parliament could mean the biggest shake-up this century of how lawyers work and what they do. A decade ago, the Royal Commission on Legal Services resoundingly endorsed the restrictive practices that have been the hallmark of the two-branch profession. But monopolies enjoyed by the Bar and by solicitors are to be swept aside.

The Lord Chancellor, Lord Mackay of Clashfern, wants to give clients — the consumers — a wider choice of the way legal services are provided. In the higher courts, he intends to break the Bar's monopoly of advocacy rights and allow in solicitors trained and qualified to do the job. In simpler cases, he wants more use of lay representatives; more "DIY" justice. And he seeks to broaden the social base from which judges are drawn, ending the Bar's monopoly of senior judicial appointments.

Solicitors, too, face the loss of their near monopoly on conveyancing (despite the advent of licensed conveyancers) under plans to permit big lending institutions to offer conveyancing to their customers.

The precise impact of these reforms depends crucially on their passage through Parliament. Yet it is clear the potential exists for dismantling the traditional split of work between solicitors and the Bar; and also between the legal profession and others. The next decade, therefore, will see a radical reshaping of how legal services are offered.

There are other influences prompting change. The climate of competition — coupled with a shortage of recruits because of the demographic downturn — is forcing the profession to promote itself as never before; advertising restrictions have gone and lawyers can market their services in any

medium, from chamber brochures to national television.

A more business-oriented attitude is emerging. "People are going to have to reconcile the split between a profession and a business," John Hayes, Law Society secretary general, says. "They will have to learn to look ahead, to spot trends. Lawyers will have to be good, not just at their jobs, but in managing themselves."

Already solicitors are set to launch conveyancing procedures to woo the house buyer to them as first port of call. They are also fast promoting themselves as providers of independent financial advice. Together, the moves aim to give them the edge in the market.

The Bar, too, is undergoing a face-lift. Barristers' somewhat dingy, almost Dickensian chambers are being revamped as hi-tech office complexes, with advanced computer systems that can be linked with those in solicitors' offices and in the courts. In the past decade, the Bar has undergone rapid growth to its present 6,000. The next 10 years are likely to see a plateau in growth; possibly a contraction in the criminal Bar, as solicitors' firms take on more Crown Court advocacy.

The Bar will fight for work in the face of this competition through cost effectiveness. Cutting overheads will be top priority: this will mean larger chambers, of 25 members or more, run by a "practice manager", who has professional managerial skills, and an administrator, in place of the old-style clerk.

The future is likely to see a relaxation on how and where barristers practise. The Bar is looking at the possibilities of setting up a "library" system alongside the chambers system, where barristers without a tenancy can work. Barristers can already work from home, and also without a clerk.

Among the 60,000 solicitors in



The climate of competition: barristers such as these at Lincoln's Inn are being forced for the first time to adopt appropriate managerial skills

England and Wales, firms are already regrouping or merging. The forming of City "mega-firms" is being matched by the creation of networks of regional firms with a countryside chain of outlets. As the lending institutions move into conveyancing, it is likely, by the end of the decade, that they will "tie up" with individual firms or networks who will be guaranteed the bulk of conveyancing work.

Mr Hayes sees a parallel in legal aid, with plans to "franchise" certain firms to do legal aid work. "It creates an environment where personal and family law is concentrated in fewer firms," he says. The net effect is likely to be fewer firms; but solicitors' numbers will remain high, just concentrated in "different pockets".

The changes pose a threat to the survival of the small, or one-man, firm. But Mr Hayes predicts "plenty of scope for the well-organized, robust, highly skilled general practitioner".

Increasingly, though, they may be forced to specialize; it will be hard for solicitors to get away with professing to be good at every thing. They will also have to lose their mistrust of handing on a client, client referral between firms will have to become commonplace if the public are to

legislation," Peter Cresswell, QC, the Bar chairman, says. But some barristers will be "bought up" by solicitors' or accountants' firms keen to set up their own advocacy departments. Such firms do intend, though, to go on using the Bar for heavier, more lengthy cases. In the public sector, the

defections from able barristers to solicitors' firms". But he acknowledges the danger to the Bar's recruitment. The Bar, he says, must "quadruple its efforts" to attract recruits in the face of competition from solicitors and accountants.

The location of legal work will shift. London will no longer be the hub of the legal world in all spheres. There will be a marked move in work to specialist centres in the regions, which will rival the expertise now chiefly on tap in the capital.

At the same time, the advent of 1992 is spawning the growth of links between firms with EC counterparts, and the setting up of offices abroad. Global firms with offices in different countries are set to increase in number, as are multi-national partnerships. The Bar has been spurred to increased efforts to promote its services in the United States and in Europe, and to encourage clients to seek its services direct, rather than going

'The impact of reforms depends on their passage through Parliament. It is clear a potential exists for dismantling the traditional split between solicitors and the Bar, giving wider consumer choice'

retain access to specialist advice. On advocacy, despite warning noises to the contrary, no one believes the Bar is threatened with extinction. "It is absolutely clear the independent Bar will survive, whatever changes flow from the

Crown Prosecution Service is likely in time to get Crown Court rights for its lawyers; but there, as well, the private Bar would still be given work.

Mr Cresswell does not believe there will be any "significant

INSIDE

- Judicial and legal aid reform/Decentralizing Bar services...33
- Training prospects: Improved opportunities/Legal Brief 34
- The London Recruitment Fair, March 15 and 16/The Gouldens' approach to articles...35
- Women in the law/Law school funding crisis...37
- Challenge of Europe/What future the City firms?...39
- Hi-tech times/Para legal recognition...40

through a solicitor. On the home front, the restrictive practice that only solicitors may deal with the public has been relaxed; other professionals may now brief the Bar direct.

Computer technology will revolutionize the way the profession operates. The first live video-conference between client, solicitor and barrister has taken place; more such links, also involving courts and witnesses, are likely. Computer systems will be a must where cost margins are tightest, such as civil legal aid work, where they can be used for much routine written work.

Two other influences will mould the future of the profession. There is the question of "one-stop shopping", or multi-disciplinary partnerships. Both branches oppose allowing solicitors and barristers to set up in partnership with one another or with other professionals, but there is a strong tide of support in favour of this among some City firms.

And there is the impact of women. Women will start to dominate the profession as the 1990s advance. They are already the lion's share of entrants to the solicitors' branch, and 38 per cent of entrants to the Bar. Both branches will be forced to retain women's services and to adapt working conditions to meet their needs. Part-time partnerships, flexi-time and job shares will become commonplace.

The profession can no longer rely on monopolies for its work. Yet demand for lawyers is burgeoning as never before. As it enters the 1990s, the test for the profession will be whether it can give clients what they want, in the way they want it. Its survival will depend on meeting that challenge.

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Continued on page 34

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THE LAW IN THE 1990s/3

Shedding an age-old image

Plans are afoot to make the judiciary more representative of the population they are appointed to judge, Frances Gibb writes

As the winds of reform blow through the two main branches of the legal profession, its up-echelons — the judiciary — may appear relatively untouched. The public image of judges remains much as it has for years: they are seen as remote, out-of-touch, elderly, male-dominated and middle-class.

But judges, too, are in the midst of change. The Government's legal reforms have thrown them into political controversy and they have responded, thrusting themselves into the public limelight, and taking a lead in opposing many of the proposals, often in unexpectedly strident tones. In effect, Lord Mackay, Lord Chancellor, has been faced with almost universal rebellion from his fellow judges.

Their lobbying has not been without success. Under the reforms, senior judges will now play a key role in approving new rules which will allow solicitor-advocates into the higher courts — and, eventually, open up senior ranks of the judiciary to qualified solicitor-advocates.

To what extent solicitors will break into these two key preserves of the Bar has yet to be seen; much

will depend on the passage of the reforms through the Commons. But the Lord Chancellor is committed to two principles: widening consumer choice of advocate, and opening up judicial appointments.

The linked reforms — only advocates qualified in the higher courts will be eligible for the bench in those courts — are crucial to changing the make-up of the judiciary. Women have never reached the House of Lords. The country's senior woman judge, Lord Justice Butler-Sloss, is in the Court of Appeal. In the next tier down, the High Court, there is only one woman, Mrs Justice Booth, out of 82; and 20 women out of the 425 circuit judges. Of 766 recorders, 38 are women.

One reason for this has been the shortage of women in law: even now, only around one fifth of the profession as a whole are women. But women — and blacks — have been badly under-represented, even when matched against their own numbers in the profession. There is one judge from the ethnic minorities, Judge Mota Singh, who was appointed to the circuit bench in 1982; and only in 1988 were the first black (as opposed to Asian origin) QCs appointed.



Unique: Britain's most senior woman judge, Lord Justice Butler-Sloss, sits in the Court of Appeal

There are signs of a changed attitude. The Lord Chancellor wants more blacks as magistrates and in other judicial posts: last year's list of newly appointed Queen's Counsels contained a record number of blacks and women (respectively, two and six out of 73); and there are now seven black recorders. At the same time, the intake of women is growing fast (38 per cent of entrants to the Bar, and half to the solicitors' branch, are now women); so the pool itself, over the next decade, will swell dramatically.

In the meantime, steps are being taken to remedy the imbalance in appointments of circuit judges drawn from the Bar and from solicitors. Although solicitors can already be made circuit judges, only one in 10 of the 425 in England and Wales comes from solicitors' ranks. The Lord Chancellor's Department has set up a pilot project to improve ways of finding solicitors for judicial posts, and the move will undoubtedly broaden the social mix.

But none of this touches the system of judicial appointment itself. Despite the new ground broken in 1985 by the publication of a booklet by the Lord Chancellor's Department, *Judicial*

Appointments, the system still operates very much in private. Senior judges and barristers give informal advice to the Lord Chancellor, through his officials; but vacancies are not advertised.

There is now strong support, in some quarters of the Bar and among some senior judges, for a judicial appointments committee to advise the Lord Chancellor. This has been fuelled by his own legal reforms: under these, judges will have a much more public profile and they will be thrown, even more, into the political arena. It is therefore essential, some argue, that the Lord Chancellor, who has sole power for appointment and for advising the Prime Minister on appointment should be advised by a committee drawn from judges and the profession.

The legal reforms have highlighted a further issue: can the Lord Chancellor, a government minister in the Cabinet, also represent the interests those judges of whom — wearing his other hat — he is head? A number of judges are worried about the dangers of encroachment by the executive on judicial indepen-

dence; and there is support for moves to redress what they see as an imbalance of power. One way, they believe, might be to give statutory backing to the body of senior judges called the Judges' Council: to create a more formal vehicle for consultation between the executive and the judiciary.

There is one other key factor which will have a marked influence over the next decade on the changing face of the judiciary: training. Training, both for professional judges and lay magistrates, is no longer regarded with disdain: it is seen as essential for ensuring high standards. Not only does this cover sentencing decisions, but also topics such as racial awareness. The Judicial Studies Board already runs training courses for nearly all ranks of judges and for those who train magistrates. Its work is certain to become more extensive; judicial skills are no longer seen just as something acquired "on the job".

The changes will take time to work through. But as the year 2000 approaches, the seeds are sown for a professional judiciary which will begin to look more like the population it judges. It may, too, at last start to shed its age-old public image.

The demands of legal aid force change

Over the last 40 years, the existence of legal aid has affected the structure of the profession remarkably little. Now, a number of developments — not least, financial pressure and the transfer of legal aid from the solicitors' professional body, the Law Society, to a Government appointed Legal Aid Board — make major change unavoidable.

Lawyers' overall income from the Legal Aid Fund has risen dramatically over the last 10 years, from £57 million in 1978/79 to £387 million — a six-fold increase, compared with a doubling of the retail prices index.

While City firms have increasingly modelled themselves on their corporate clients, legal aid is still undertaken by widely dispersed practices of the traditional high street kind.

Around three-quarters of all solicitors' offices still do some legal aid in the year and payments go to as many as 11,500 solicitors' offices. Amounts, however, are small — most get less than £20,000 a year, indicating that legal aid is not a substantial part of their income. A number of factors combine, however, to link the future of legal aid with that of the profession as a whole. First, although legal aid provides only about 11 per cent of the gross income of solicitors overall, it is disproportionately important to provincial practices. Payments from the legal aid fund amount to 4p in every £1 of the average income of solicitors in London, but in, for instance, the north the proportion rises to 20p.

Second, the high-street solicitors' monopoly on conveyancing income — providing them probably with still 40 per cent of their income before the recent house-market slump — is now under threat, increasing the importance of other sources of income.

Finally, there is a growing, though small, number of firms heavily dependent on legal aid income — 694 offices received more than a third of all the money paid out in 1988/89.

Profit margins on legal aid are undoubtedly tight. The Legal Aid Board's chairman, John Pitts, puts it in the category of "high volume, low profit work". Any firm doing legal aid seriously must give meticulous attention to systems to make it pay. Even then, the Law Society argues that criminal legal aid work, in particular, is often unprofitable.

Legal aid work has become more stressful. Many criminal legal aid practitioners take part in the national 24-hour duty solicitor scheme to give legal advice to those held in police stations.

Although last year this brought

solicitors an extra £26 million revenue, pressures on the staff of small firms (two-thirds of all firms have fewer than four partners) in providing night cover without sufficient time to recuperate are beginning to tell.

Hopes that the Government will meet the Law Society's call for significantly higher pay are unrealistic. A more likely solution lies in changes to solicitors' organization. Firms must become large enough to afford to employ specialist duty departments. Such a change is likely to be given impetus by the Legal Aid Board, already talking about contracting out "franchising" in its jargon, not only the duty solicitor scheme but also civil legal aid to limited numbers of larger firms. This could cut the numbers of offices doing civil legal aid to some 2,000.

The problem in any rationalization of outlets is the clients' lack of mobility due to poverty. They need local accessible services and increasingly specialist provision.

There are now about 60 law centres dealing with problems, such as housing, traditionally ignored by legal aid practitioners.

Specialist services outside the legal aid scheme are also beginning to expand with the birth of groups such as the Women's Legal Defence Fund and now the new Public Law Project. Commercial forces, exaggerated by the intervention of the Legal Aid Board, will thus lead to a major rationalization of legal aid provision. The economies of the traditional mixed practice, now the backbone of both the profession and legal aid provision, may well cease to become viable once significant amounts of conveyancing income are lost. This is likely over the next decade.

The result will be a further polarization in the profession between commercial firms and legal aid practices. Legal aid will become the major, or sole, source of funding for a discrete sector, giving the Legal Aid Board, and thereby the government of the day, greater control over spending, types of provision, quality of service and access.

This could lead to a sorely needed element of planning. But it also carries the danger that legal aid lawyers will become seen as a poorer, second-class group detached from the core of the profession. The challenge for the board is to mould the restructuring of legal aid practice in a way that delivers high-quality services by high-quality practitioners.

Roger Smith

The author is a solicitor and director of the Legal Action Group.

Voice for the defenceless

Nicholas Vineall and Brian Hughes look at 'legal aid' in tribunals

On Monday John Smith is caught speeding. He may lose his licence. On Tuesday John Smith is sacked. He has lost his livelihood and may never work again. For his Magistrates' Court appearance on the speeding charge he may receive Legal Aid. For his complaint of unfair dismissal he cannot — the Industrial Tribunal is one of many tribunals for which legal aid is not available.

In such tribunals the applicant, however impoverished, however handicapped, has no entitlement to financial assistance for legal representation. The Free Representation Unit exists to provide such representation.

Operating from Gray's Inn, the FRU is staffed by two full-time caseworkers and an administrator. The bulk of representation is carried out by Bar finals students from the nearby Council of Legal Education, and by pupil barristers, supplemented by trainee tenants beginning their career at the Bar and other London law students.

These representatives are unpaid, and take time away from work or study to interview clients, research the law (usually statute-

based, ranging from the complex to the opaque) and to appear before the tribunal. For the FRU representative, taking charge of a case is an opportunity to be both solicitor and barrister — counsellor, negotiator and advocate.

Four types of tribunal account for most of FRU's work. In the Industrial Tribunal applicants allege unfair dismissal, redundancy, or sex or race discrimination. The respondent is their employer (or, more usually, former employer), and is usually accompanied by a solicitor or barrister.

In social security appeal tribunals the other party is the DSS. Sometimes the DSS wants money back from a benefit claimant because they say too much benefit has been paid. Sometimes the claimant wants a benefit to which the DSS says he is not entitled. Before a Criminal Injuries Compensation Board, applicants

seek damages for personal injuries caused by criminal attacks. In the Medical Appeal Tribunal, applicants seek to demonstrate that they suffer from a medical condition entitling them to some special benefit.

Do clients do better because FRU represents them? No-one can know for sure because the same case can never be heard both with and without representation. But evidence suggests that tribunal representation significantly increases an applicant's chances of success.

For example, the figures for Social Security Appeal Tribunals in 1987/88 show that in oral hearings where the applicant was represented, 51.2 per cent succeeded, but in cases where only the applicant appeared, only 31.9 per cent were successful.

Last year, for the first time, a case was supported by FRU all the

way to the Court of Appeal. It concerned the question of whether employment can be treated as continuous if there have been two legally distinct employers.

This is important because the length of continuous employment determines the size of a redundancy payment. Nicholas Stewart, QC, appeared *pro bono* for FRU's client, and the Court of Appeal found in his favour.

In this case, as in so many, a difficult legal point determined entitlement to a relatively small sum of compensation. FRU's client was ineligible for legal aid but was unable to risk the large sum of money needed to litigate.

FRU hopes that developments like this reflect an increasing awareness among the legal profession of the importance of *pro bono* work and an increasing willingness on the part of barristers to donate their time.

Ideally, FRU services should be available throughout the country. It needs expanding in London and the Bar's circuits need to develop their own FRU work as has already been done in Birmingham.

The Bar already provides great support to FRU, which is a registered charity run independently. Without the Bar's support, FRU could not continue; its premises are provided by the Inns of Court; the Bar Council and the Inns together provide the bulk of FRU's funding; and this is augmented by covenanted donations from more than 250 members of the Bar.

Last year 1,200 cases were referred to FRU and in only 11 per cent was no representative found to handle the case. But every day in London applicants appear before tribunals unrepresented. FRU believes that many of those people would benefit from representation and would seek it if they knew it was available.

Nicholas Vineall is chairman of the Free Representation Unit, 13 Gray's Inn Square, London WC1R 5JP, and Adrian Hughes a former chairman. Cases must be referred by a solicitor or Citizens Advice Bureau.

Decentralizing the Bar's services

Bar expertise usually available only in London is flourishing in the North, Nick Riddle reports

Few people would deny that specialist legal services should be readily available to the public outside London. But the Bar Council Committee's suggestion late last year that barristers will have to provide such services in regional centres, overlooks the existence of such services already in the north of England.

The services of local Chancery practitioners have for many years been available in the cities of Liverpool and Manchester, and more recently in Leeds and Newcastle-upon-Tyne.

The origin of these services lies in the Court of the County Palatine of Lancaster. By reason of its status as a County

palatine, Lancashire has always had its own Chancery court. It can be traced back to the 14th century. The Palatine Court, presided over by the Vice-Chancellor of the Duchy of Lancaster, operated in parallel with the Chancery division of the High Court, which allocated special "Lancashire Thursdays" for northern practitioners.

On December 31, 1971, the Palatine Court merged with the High Court and thereafter continued its sittings in the North as part of the Chancery division. The office of Vice-

Chancellor was retained, and work in the North increased in both volume and importance. This increase led to the appointment in 1987 of a High Court judge, Justice Scott, to the office of Vice-Chancellor on the retirement of Justice Blackburn-Old.

The existence of a local Chancery court carried with it, not surprisingly, a strong local Chancery Bar. The original centres of practice were Liverpool and Manchester. The extension of the court's sittings to the whole of the northern area led to the

establishment of Chancery practice in Leeds, a commercial centre of ever-increasing importance, and Newcastle-upon-Tyne. A separate Northern Chancery Bar Association was formed in 1987 to promote the work of the Chancery Bar in the North. Its membership numbers about 80, and its records show that there are six sets of chambers in Leeds with at least one member practising in Chancery, two sets in Liverpool, seven in Manchester and three in Newcastle-upon-Tyne. Some of these chambers are

exclusively Chancery chambers; others already offer the services of both common law and Chancery practitioners (as advocated by the Bar Council Committee). The volume of Chancery work in the North is increasing, and there is no doubt that the number of Chancery practitioners will also increase. Their services are available not only in the North but also in north Wales and parts of the Midlands.

The District Registries of the cities mentioned above are designated Chancery District Registries, and with few exceptions any Chancery matter may be commenced in the North. Motion days are held in each of the cities. There is, in general, no difficulty in obtaining a Chancery judge when an ex-parte injunction is necessary until the matter can be brought before the court on a motion day. Actions may be set down for trial in any convenient trial centre in the North.

The availability of Chancery practitioners is also of convenience in supporting Chancery work which falls within the jurisdiction of the local County courts. The County courts already have fairly extensive Chancery jurisdiction, which is likely to increase with the forthcoming civil justice reforms in England. In the County courts on both the Northern and North-Eastern Circuits, Chancery cases are allocated to a judge or recorder with the appropriate experience.

The work of the Bar in the regions will assume increased importance in the next decade. But in the north of England the developments which the Bar Council Committee advocates are already well established.

The author is a practising Chancery barrister

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An unpalatable whistle to blow

LEGAL BRIEF

The judiciary has often been inclined to turn its back on police malpractice,

James Morton says, and measures to eradicate it have simply not worked. He calls for radical new solutions

It is easy for Sir Frederick Lawton in his recent article (*The Times*, January 16) to trace, as many before him have done, the decline in public belief in police evidence to the general availability of the motor car beyond the middle and upper classes and the contact the public have had with the police over motoring matters.

He also believes that the decline in honesty among police officers dates from about 1945, when "wealthy and sophisticated" offenders tried to buy themselves out of breaches of the Defence (General) Regulations. Things are not that simple.

Unfortunately police deviance, often unchecked, is much more than 45 years old. It goes back to the earliest days of the Metropolitan Police Force. In the 18 months from the day in 1831 when 4,000 men proudly paraded for the first time, 1,250 had resigned and a further 1,989 had been dismissed.

Inquiries into police behaviour began as early as 1833 over the activities of the police spy Popjay. In 1877 came the trial of detectives, when one third of the detective force — admittedly totalling only 15 — stood trial on charges of associating with criminals, taking bribes, suppressing evidence and giving advance notice of impending raids. They were all convicted. Sadly, the same story has been repeated throughout the history of the police.

The 1950s and 1960s saw a string of prosecutions and investigations for dishonesty; now it seems as if one half of the police forces in the country are investigating the other.

One problem is that successful policing requires a certain amount of deviousness and cunning to be successful. The difficulty is defining just what is corruption.

At the lowest end of the scale comes what is called "mooching" — getting free coffee or meals, and

discounts from cafes and shops. Yet this is regarded by some senior officers as good neighbourhood policing. The steps on the corruption ladder include offering immunity from traffic prosecutions and stealing small items from unlocked shops during rounds, up to bribery in matters such as obtaining bail and omitting unfavourable evidence, and on to perjury and premeditated theft as well as straightforward protection.

Those are the misdemeanours on one side of the scale; on the other are those concerned with securing a conviction — the planting of evidence, the "verbal" intimidation of defence witnesses.

That such behaviour has been allowed to flourish has been, in part, the fault of the judiciary. Members of the Bar who have known what has been going on



Police corruption: the public perception seems to be that scandals continue and measures taken against misdemeanours are often ineffective

through their defence practices and been appointed to the Bench have not only turned a blind eye but have shifted their attitude to one of protection of officers, often in quite unjustifiable circumstances. The police have therefore regarded themselves as having a licence to deviate either by committing perjury to secure convictions or by committing corrupt practices.

Few sanctions have been applied against them. When they have been caught, they have often been allowed to retire through "ill health", on full pension. Investigations of corruption go on, often hampered by the police themselves, until almost everyone has forgotten what it was about in the first place and the time for mounting a successful prosecution has long passed.

For the public it has become apparent that, by and large, a complaint is not worth making: the road down which to proceed is

one of damages. Even when juries award substantial damages against officers for malpractice, internal investigations appear to whitewash them. Little wonder the public is rapidly losing confidence in the ability of the police to clean their own stables.

Quite clearly, successive commissioners and chief constables around the country have failed to eradicate such behaviour. Sir Frederick suggests this is because these men have been drawn from the ranks. In reality, both the police and its control must come much further down the ladder. If two men who joined the police together, are on patrol together, and indulged in some of even the more minor forms of corruption, it will be extremely hard for the one who gains a position of authority to control his former comrade.

The risk that the subordinate will blow the whistle on him is high. This will not occur in

relation to chief constables, but it will in the more subversive and powerful middle ranks of detective inspector and detective sergeant. When young officers do come forward and report matters to their superiors, they find themselves ostracized and even threatened by those senior middle-ranking officers.

How then can deviance be eliminated? The current idea is to return to the old method of appointing chief constables from outside the force and to create a form of officer and administrative class from outside the constabulary. This reform failed on the last go round, and there is no reason to suppose it will succeed in the future. There has to be control at street level, and the officer cadre will not achieve this.

One other way is to use the Crown Prosecution Service (CPS) as an officer arm of the police force and to give it powers to control investigations rather as

district attorneys. They would have the advantages of a legal education and at least an inkling of the ways of rank-and-file policing. This, too, would bring about bowls of derision, but it could be a solution in the longer term. The CPS would, of course, have to be returned to the police station, but an outside presence there might well have a beneficial effect on general conduct as well as investigation procedures.

Unless drastic measures are taken, police scandals will go on unabated. They reduce public confidence and, in turn, give longer reins to criminal enterprises. Too often have we heard that corrupt officers have been cut from the body of a particular force; but, hydra-headed, they spring to life again. Measures up to now simply have not worked. New, even if highly unpalatable, ones must be introduced.
● The author, a solicitor, is editor of the *New Law Journal*.

New proposals seek to make legal training available to a wider range of people, Frances Gibb writes

No longer a role only for rich kids

Money has always been an obstacle for most people who consider entering the legal profession. The training is lengthy, and it is expensive. So unless students have private means, have secured sponsorship with a firm of solicitors, the Bar or the Inns of Court, or managed to obtain one of the (rapidly diminishing) local authority discretionary awards, the law has not been a serious option.

The signs are that at last things are changing. Both the Bar and the Law Society have woken up to the need to ensure there remains a good supply of entrants to the profession. Competition for graduates is intense; and at the same time, the demand for qualified lawyers is booming.

The Bar has recently completed a full-scale overhaul of both its one-year vocational training courses, and the arrangements for

pupillage and tenancies. Last autumn, a new vocational course was launched by the Council of Legal Education at the Inns of Court School of Law in London, which puts emphasis on learning practical skills needed to be a barrister rather than on fact-crunching and testing of memory.

Apart from a few initial teaching problems, the course for the most part has been enthusiastically received by students. They take part in mock trials, interview one another, negotiate solutions to legal problems. They are tested on performance in practical work as

well as written tests and examinations throughout the year.

For potential barristers, qualifying at the end of the vocational course was only the start of a number of problems. High on the list was the difficulty of obtaining a pupillage in chambers — a hit-and-miss affair where, again, funding was a matter of luck. Many chambers do provide pupillage awards, but these vary greatly in amount. Now a new central "clearing" system — PATRIC — has been set up, which aims to match trainees to vacancies. And at the same time, the Bar Council

has also just agreed to adopt proposals that all chambers pay a minimum of £6,000 for the pupillage year.

The Law Society, too, is embarked on a radical overhaul of its vocational training. Proposals will be set before a council meeting in May which would replace the present one-year final course with a 24-week "legal practice" course.

A particularly controversial proposal, which some City firms have said would lead to variations in standards, is that examining and assessing students — now under the aegis of the College of Law —

should be transferred to approved teaching institutions.

This would be followed by a period of employment under a training contract, broadly akin to serving articles, but possibly for a period of 18 months instead of the present two years.

One aim of the course is greater flexibility. Not only is access to training at present hard for those without financial help (it costs up to £2,000), it is impossible for people wanting to study part-time. The proposals are likely to come

in for heated debate. Already some college lecturers have attacked the suggestion halving the length of the final course as a "grave mistake" and a "retrograde" step.

In the meantime, one new and different way to qualify as a lawyer is through the Crown Prosecution Service (CPS). The CPS recently set up a programme of paid support for articled clerks and pupil barristers who want to train within the service. The new scheme prompted more than 1,000 inquiries and nearly 500 applications by January 1 this year. So far 50 trainees are in post,

and the service is on target to fill all 200 places within the current recruitment round. Salaries on this programme go up to a maximum of £13,717, which includes London weighting — comparable with many firms' articled clerkships.

The current training reforms, when implemented, should do much to ease the financial burden of entrants, make it less important to depend on funding from, for example, big City firms. In addition, if the Law Society final course was examined by approved teaching institutions, it might be possible for the course to be eligible for mandatory (rather than the present discretionary) grants.

In all, the changes will pave the way for more students, from a wider cross-section of society, to be encouraged into the law, and will give them greater freedom in how they qualify.

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THE TIMES

Reaping the fair rewards

Anne Marie Martin, organizer of the Law Fair, explains how the legal profession is trying to turn a recruitment crisis into a bonanza

I don't understand undergraduates. He spent the whole interview talking about starting a business, going round the world or earning a fortune on the money markets, and then, just as he was leaving, he asked about becoming an accountant.

This could be a comment from any careers adviser in higher education. For many years the most popular career among undergraduates has been accountancy, which absorbed 12 per cent of all graduates in 1989, with almost the same number waiting to enter.

Accountants have sold their profession well, welcoming graduates from any discipline and offering a combination of exams and work experience as the perfect qualification for a business career. Employers in other professions have watched with envy as accountancy scooped up the cream of the scientists, artists and social scientists and made inroads into those studying vocational degrees, such as engineering and law.

But the other professions, especially law, are staging a counter-attack, and there are signs that where accountancy dominated in the 1980s, law will reign in the 1990s. Much credit must go to the



Sign of the professional times: Anne Marie Martin, senior careers adviser, prepares for this week's Law Fair

Law Society, which realized that not enough graduates were aware of the comparative ease with which they could switch to the legal profession from another degree. The society has produced impressive publications and events to remedy this deficit.

The largest force, however, has been the profession itself, which appreciated that two years' unfunded, full-time study after graduation was deterring too many. The

willingness of firms to sponsor students through their conversion and finals courses has brought about the sea change. In 1985, only 10 per cent of the 2,500 entering solicitor and barrister training had studied subjects other than law. Last year, this figure reached almost 20 per cent, while the total number rose to 2,700.

Although non-law graduates are beginning to flock towards the law, the profession is still losing too

many of its own graduates. In 1988, more than 40 per cent were wooed away to other careers. The profession is slowly coming to terms with the need to be more active in the competitive field of graduate recruitment. They have discovered graduate brochures, milkrounds, presentations, directories and the whole variety of techniques that other recruiters have been using for years.

Non-law students and graduates

began to catch the law bug just as the profession was beginning to tackle its recruitment crisis by raising its profile. The University of London Careers Advisory Service had difficulty in responding to the huge number of requests to hold presentations. Building on the model of its nationally successful London Recruitment Fair, the Careers Service consulted the Law Society about the best timing for a specialist event, and the Law Fair was born.

It brings together undergraduates, graduates and the legal profession in the relaxed atmosphere of the Business Design Centre in Islington, north London, on Thursday and Friday. On Thursday, it will remain open until 7pm, giving recent graduates — who are toiling away at temporary jobs to pay off their debts or are in permanent employment but seeking to change direction — a chance to attend.

The Law Fair Guide gives details of all the exhibitors, including those who are happy to consider non-law graduates and mature entrants, as well as those offering vacation work.

The seminar programme, which will take place throughout the fair, will cover such essentials as writing a CV and coping with interviews, as well as providing the opportunity to hear young barristers and solicitors describe their experiences.

In 1989, the Law Society published a document, "The Recruitment Crisis". Let us hope that, as a result of this initiative from the University of London, 1990 will see the publication of a document entitled "The Recruitment Bonanza".

● The author is senior careers adviser, University of London Careers Advisory Service.

More than a brief encounter

The training of solicitors has been criticised for its over concentration on the acquisition of knowledge and the lack of emphasis on the development of the required practical skills. Now new proposals are under discussion which include discontinuing the Law Society finals course, introducing a shorter course, abandoning articles and replacing them with a two-year training contract. Radical stuff.

Ten years ago, the legal firm Gouldens examined the standard vocational system of articles and found it wanting. It felt that (a), six months in any department was not long enough to get to grips with the work of that department or to cover

the normal duration of a complicated case, and (b), articulated clerks were not given the degree of responsibility their abilities merited, purely because they were only in a department for a limited time.

As a result, the work which trainees undertook was routine and passive such as checking documents, taking minutes, the dreaded photocopying and sitting in and watching, rather than consisting of active hands-on experience.

Gouldens sought to overcome these problems and introduced a system founded on the concept that

an articulated clerk would be based in one department, but receive simultaneous work experience from all the main departments throughout the two-year training period. Responsibility is assumed as confidence grows.

One of the questions asked of this system is whether trainees (being physically located in the same office) run the risk of over-specialization. By use of check-lists, Gouldens aims to ensure that there is a proper balance of work from all departments. Monthly review sessions are held with the training

partner, where trainees discuss what they have covered in the previous month, their anticipated workload and identify any gaps in their training.

Trainees also attend twice weekly seminars and have six-monthly individual review meetings. They work with a far greater number of solicitors and supervision and help is always to hand, with an open door policy operated throughout.

The system is not easy to administer, but has developed as a result of great commitment and care on the part of the partners. From the

trainees viewpoint, high academic ability, good organizational skills and the willingness to take on responsibility are required.

The day of qualification is just another day for Gouldens' trainees and not a sudden quantum leap. With two years continuous involvement in all areas of the firm's work, the trainees complete their training with both a breadth and depth of legal experience and emerge with a far greater level of competence and confidence than would usually be expected from a newly qualified solicitor.

Clare Deansley

● The author is a partner with Gouldens, in charge of articulated clerk recruitment.

INNS AND OUTS

While protests over the poll tax erupt around the country, emergency community charge relief work is gathering momentum in the nation's Citizens Advice Bureaux and voluntary advice centres. Can the centres — faced with an onslaught of people seeking information on how the tax works and whether they can avoid paying it — do anything to reduce the impact of the enormous bills that some people now will face?

The London Advice Services Alliance has just published a report of a conference held late last year which considered the implications of the poll tax for the advice sector. It concluded that the multiplicity of rules on registration, remaining anonymous, exemptions, rebates and methods of payment give advice agencies scope for lessening the effects of the tax. They can, for example, encourage local authorities not to implement the much-criticized joint and several liability provisions that make spouses and partners jointly and severally liable for each other's tax. They can put pressure on local authorities to ensure that as much is known about rebates and exemptions as about registration and payment. This includes asking for the information to be translated into different languages and made available on tape for the visually handicapped.

They can also encourage local authorities to write off unpaid poll tax debts that are obviously unrecoverable and to allow payments to be made weekly or fortnightly to fit in with the budgeting requirements of low-paid workers.

There is no doubt that strategies for minimizing hardship will be necessary as the poll tax comes into force. The Low Pay Unit produced figures at the conference which showed that young workers with net incomes as low as £53.49 a week will not be entitled to a rebate. Some authorities are setting their taxes at between £500 and £700, so this means that some of the low-paid could be liable for a tax amounting to between 20 and 25 per cent of their incomes.

Some law firms take confidentiality to the illogical extreme. In the latest Scrivener telephone poll, the 10 largest provincial firms and the 10 largest City firms were simply asked for the name of their senior partner. In the City, the request met with a stone wall at Denton Hall Burgin & Warrens and Freshfields. Simmons & Simmons took a slightly different line. "If you tell me who's calling," Scrivener was told, "I shall tell you who our senior partner is" — which raises the question of who is and who is not eligible to be told.

In the provinces, however, only one, Mills & Reeve Francis in Norwich, checked who was calling before revealing all. The secretive firms may do well to remember the story, possibly apocryphal, about the receptionist who was asked for the name of a partner to assist legal difficulty. The receptionist asked the caller what the problem was, and was told it was a neighbour dispute. "Oh we don't do that sort of work here," came the reply. The "neighbours" were two battling countries. The secrecy seems even stranger when all the firms list their senior partner in directories such as *Legalise*. For those without access to such sources, the senior partner of Denton Hall Burgin & Warrens is Michael Flint, and John Grieves is about to take up the reins at Freshfields.

The Fair Employment (Northern Ireland) Act 1989, discussed in this column two weeks ago, has been referred to the European Commissioner for Social Affairs and Employment on the ground that it is prejudicial to rights protected by sex discrimination legislation and European Community sex equality law. The Act gives the President of the Fair Employment Tribunal, in cases where allegations of sex discrimination and religious and political discrimination are raised simultaneously, discretion to hear the complaint of political and religious discrimination first.

The Government did not think this provision would cause problems, but the Northern Ireland Equal Opportunities Commission, has argued that it may prejudice complaints of sex discrimination, and amount to a breach of European law.

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LEGAL APPOINTMENTS

Continued on page 38

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Where do lawyers come from?

The profession's demand for graduates continues unabated, as this week's recruitment drive in London, shows. Edward Fennell reports on how the competing firms find their staff

Is there still a recruitment crisis in the law? The recent widespread reports about the difficulties of the Crown Prosecution Service (CPS) might have suggested so. But the CPS is a special case: its low morale and inability to pay the "market rate" is forcing it on to the sidelines of the legal recruitment market. More important is the mainstream of commercial and high street work, where changing demands for legal services are creating a complex and variegated picture of legal recruitment.

The result has been that within the space of a couple of years the whole recruitment process has become smoother and more sophisticated. Firms in general have learned very quickly how to handle it efficiently, and consequently much of the alarm and despondency has now died down. Greater professional competence about the recruitment function means that, at least among large and medium-size firms in London and the regions, there is confidence that targets will be achieved. The job may be time consuming and expensive, but firms are no longer intimidated by the challenge.

Take the example of Lovell White Durrant, one of London's top ten firms. David Baker, who runs its recruitment, expresses calm assurance that he will be successful in filling 160 slots for graduates in 1990.

He reckons that he will get about 10 applicants for every place and, after shakedowns and shake-outs and a certain amount of



Lawyers in the making: final-year students will become the objects of sophisticated recruitment techniques

calculated brinkmanship, he will get the number he needs. "We take recruitment very seriously and work very hard at it, but as a result we have met our targets for the last two years and I expect we shall this year as well," Mr Baker says.

Much the same is said by other major firms. Big names such as Clifford Chance, Linklaters & Paines, and Slaughter & May have no trouble in getting the right numbers nor do the smaller but

high prestige outfits such as Travers Smith Braithwaite and Ashurst Morris Crisp. Although there is certainly a fight between all the leading firms for the top talent, the numbers themselves are no longer a worry.

Like Lovell White Durrant, most of the major firms have set up a smooth initial recruitment system with trained partners touring the universities. They have nurtured links with influential

academics, produced well-written brochures, and established points of first contact through summer vacation schemes.

Meanwhile, for qualified staff, they have developed careful links with selected recruitment agencies and promoted their corporate image through a variety of subtle means.

Among regional and smaller practices, the picture is not quite as bright, although the better firms

have developed their own strategies to counter the threat from London. In particular, concern about recruitment has helped spawn a number of mergers and groupings.

Organizations such as Eversheds and the M5 Group admit that, by combining half a dozen or more regional firms into an alliance, they have been able to carry considerable weight on the milk round as well as raise their standard in the important area of education and training.

Groupings may be one answer to the shortage, but the more extensive use of recruitment agencies, even for new entrants, is another. Quarry Douglas, now recognized as one of the leading recruitment agencies in the country, reports that its newly established articulated clerk service has already done well by operating on behalf of those smaller firms which cannot afford to send partners out to tour university and polytechnic campuses. For graduates who do not want to move to London, or who have a commitment to high street work, the agency service can be a real bonus.

"The big firms have got initial recruitment very well organized," explained Gareth Quarry, "but there are many smaller firms which really need an agency to work on their behalf to attract graduates."

Meanwhile, the agencies have

come to dominate completely the recruitment of qualified and experienced staff. Virtually all qualified positions are now filled through the agencies, and earlier this month demand was as heavy as it had ever been.

"We may have had significant shifts in the kinds of specialists which firms are looking for, but the numbers required are higher than ever," Mr Quarry said.

With around 50 per cent of new entrants to the profession now female, the profile of the profession is in the process of significant change. Small legal aid and conveyancing based firms who have been most seriously hit by recruitment difficulties now tend to pin their hopes on recruiting and retaining "women returners".

The CPS, too, makes a special appeal to women, and there is now a real danger that the large number of women lawyers will be concentrated in the less well-paid, and less fashionable areas. City firms still have a reputation for being macho and male dominated, although there are now a number of West End firms (such as Nabarro Nathanson and Frere Cholmeley) which can demonstrate a real, practical commitment to equal opportunities.

Nonetheless, forecasting the future is notoriously difficult. A decade ago, lawyers had their backs against the wall and were fighting off recession. It would be rash to assume that those days could never return.

The sheer number of women now entering the law (approximately one-third of those called to the Bar, and over half of admitted solicitors, are women) will assure a far greater role for women in the legal profession in the 1990s. Although women's representation at senior levels does not yet reflect their presence in the profession as a whole, barristers and solicitors alike think this will change in the next 10 years.

"The explosion in the number of women at the Bar began about 10 years ago, and the pool has been growing since that date," says Catherine Newman, a company and commercial barrister who is one of the few women on the Bar Council. "The next 10 years should be the testing time." Clare Deansley, a partner at Gouldens, reiterates this: "Minds are rapidly changing. There is now quite a different attitude amongst the generations — even between 42- and 57-year-olds."

Gouldens was one of a number of large London firms which attended a recent meeting of the Law Society's Working Party on Women's Careers, arranged as a

Christina Morton reports on the new ways being tried out by legal firms to recruit and retain women

The testing time for sex equality

follow up to the working party's 1988 report, "Equal in the Law" which drew attention to the alarming rate at which women were giving up practice as solicitors. Having observed a statistical link between the number of women leaving the profession and the number with responsibilities for children, it recommended that the profession consider career breaks, part-time working, flexible hours, job-sharing, crèche facilities and enhanced maternity benefits.

Two years later many of their recommendations have been taken to heart. "Everyone felt they should have a formal policy," says Ms Deansley, who attended the meeting. "The present vogue is for career breaks, although these have not yet been in practice." Policies on part-time work vary. Last summer Denton Hall Burgin & Warrens, one of the first firms to

develop and implement a specific policy, announced measures enabling women or men to work part-time, provided this is compatible with the nature of the work, and permitting a woman a career break. The firm already has several women working part-time, including property partner Gill Briant.

Many women barristers express the view that because they are self-employed, the Bar can already be a flexible career, although this can depend on the attitudes of colleagues and heads of chambers. Career breaks have had a better reception at the Bar than part-time work. For example, 1, Garden Court, a specialist family set, has 13 women barristers and seven men who between them have 22 children under 11. The chambers is willing to consider extended maternity leave or even a career break for barristers who wish to



Part-time partner: Gill Briant take extra time off. Head of Chambers, Alison Ball, is however, adamant that barristers who spend a lot of time in court cannot work part-time. "It is a gypsy life. Trying to fit in child care only on certain days would be impossible," Ms Ball is also opposed to

the idea of job-sharing. "It is a very personal service," she says. "We are fastidious about keeping the same person on the case throughout." Solicitors tend to agree with this view. "The client wants one-to-one contact," says Ms Deansley, "not a changing face."

Crèches are not a greatly favoured option in London. Barristers feel that their hours are too irregular for them to rely on a facility which is not open all the time. Solicitors feel that opening crèches in their own offices would not be cost-effective, and many would prefer to leave their children at home with a nanny than to bring them into London during the day.

Crèches are likely to prove too expensive for financially stretched legal aid practices, which will generally not be able to afford all the benefits a large practice can

offer. "Job-sharing would be possible," says legal aid sole practitioner Susan Oliver, "but lawyers could not work part-time. I have to use every inch of office space to its full capacity." There is a crèche in her office, but for clients rather than staff. Mrs Oliver's own nanny comes to the office once a week to look after clients' children during appointments.

Will women's stronger presence in the legal profession mean more women judges? There could hardly be fewer.

The Hansard Society Commission Report on "Women at the Top", published in January, pointed out that no woman has ever sat in the House of Lords, and that in 1989 only one (out of 27) sits in the Court of Appeal, one (out of 82) in the High Court and only a handful are Circuit Judges (20 out of 425),

Recorders (43 out of 766), Assistant Recorders (25 out of 496), Stipendiary Magistrates (8 out of 64) and Registrars (7 out of 222).

The Lord Chancellor's recent appointments to the Family Division of the High Court where there has been a concentration of women practising for some years, are a disappointing start. As barrister Ellen Solomons points out, of the six appointments made in the first 18 months, not one appointee was a woman, although there were a number of women as eligible as, and in some cases senior to, the men who were appointed.

It is too early to tell whether this represents intractable prejudice or merely the last vestiges of it. Women lawyers are on the whole optimistic about the next decade, although there is a universal plea for fairer tax treatment for child-care expenses.

"A lot of what the firms are doing is more to do with economic need than moral enlightenment," cautioned a spokesman for the Law Society, however, reminding women in the legal profession that they have yet to consolidate their position.

Rough justice in schools

No one could fail to be impressed by the range and richness of the work done in the 40 British university law schools. More subjects are taught and more journals, articles and books are published than ever before, and there is a huge programme of continuing education for the legal profession.

Law surpassed medicine several years ago as the most popular university subject and it has retained its pre-eminence. Over 10,000 applicants compete for just 4,000 places. Yet all this has been achieved in a hostile environment which makes the future for the law schools problematic and disturbing.

Law is the worst funded of all university subjects, and calamity has been avoided — or perhaps only postponed — by the large numbers of overseas students who come here to study at both undergraduate and postgraduate levels and pay so-called full fees.

For the bulk of the students, the law faculties' income comes from the Universities Funding Council (UFC). Until now, each university has been given a target number of funded students in each subject, each student bringing with him resource from the

Law is the worst funded of all the university subjects, writes Graham Zelik

UFC. For each subject, a unit of resource was set, based on average actual costs over the country.

Law has been the cheapest subject. It has taken more and more students in the face of buoyant demand without corresponding increases in resources. It therefore has the worst staff-student ratio in the system.

New arrangements for funding universities are about to come in, but they offer little or no prospect of improvement. The UFC now invites universities to bid for certain numbers of students at certain prices against a "guide price" which is the maximum the UFC will be prepared to pay.

The guide price for law is again the lowest of any subject, because the prices have been derived, like the superseded units of resource, from actual average costs. Law is

thus condemned to be a prisoner of its past actions.

The legal profession has begun to give modest help, which is much appreciated. But a small legal profession, which anyway has training responsibilities to discharge once students graduate, cannot conceivably subvert the law schools to the extent necessary. Nor should it be expected to. A substantial proportion of law graduates do not practise law. It has always been thus and it should not change. The study of law in a university is much more than a narrow vocational experience.

While we trumpet our achievements and rejoice in our successes, it is hard to be sanguine about the future. Unless there are improvements, we shall see a steady decline in the quality of our law schools. The impact on the legal profession will be discernible and it will, of course, be the public ultimately who will suffer.

Graham Zelik, *Drapers' Professor of Law and Head of the Department of Law at Queen Mary and Westfield College, University of London, is Chairman of the Committee of Heads of University Law Schools and a member of the Lord Chancellor's Advisory Committee on Legal Education.*

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It is March, 2000. We City practitioners have survived — only the most resilient optimists would prefer to say enjoyed — a decade of fundamental change and growing instability. You who are not in the profession will say that this is conventional, conservative, unrealistic pap: those who earn as much as we are said to, must expect to be as efficient, business-like and pragmatic as the industrialists and bankers they advise.

The premise is difficult to fault; but remember that the Courts and Legal Services Act was only passed in the autumn of 1990. ("Passed" is euphemistic shorthand: it was rushed through Parliament in the last years of the last Thatcher administration, after inadequate consultation and reflection, by a combined surge of Tory free market zealotry, the puritanical tenacity of the then Lord Chancellor, Lord Mackay of Clashfern, and the anti-monopolistic convictions of the dozen of the Office of Fair

It is hard to find any British lawyer today who openly admits to not knowing a single Continental European lawyer. The pressure to be seen to be prepared for 1992 and the Single Market has become irresistible.

Ever since Britain joined the European Community in 1973, lawyers have had to learn to accommodate a whole new set of laws. Under the Treaty of Rome, where EC law and English law conflict, EC law always wins. And, much of the law coming out of the EC institutions has direct effect here without needing a government seal of approval.

Faced with the barrage of laws being passed over 700 last year alone, some lawyers are more successful than others at spotting EC law questions. Possibly more by luck than judgement, no lawyer has yet been sued in negligence for failing to take an EC point.

But 1992, the Single Market, or as President Bush tags it, "The Big Mo", is different. It places direct pressure on all lawyers with a commercial practice at least to appear to know all things European.

The restructuring effect of 1992 has already been felt at the Bar. As individual sets of chambers have realized that EC law is not a specialization to be left to specialist sets, barristers with knowledge of EC law have found themselves at a premium.

At the same time, the specialist sets realized that they could not survive without broadening their client base — commercial sets with their own EC specialists have no need to refer EC work. The pressures have already resulted in big acrimonious splittings up of the European Law Chambers. The Bar has also realized that, under the overseas practice rules, it can have direct access to foreign clients within the EC as well as America — a fact individual sets are busy exploiting.

Small and medium-sized law

Vanni Treves considers the outlook in the Square Mile through the eyes of a solicitor in the year 2000

Letter from the City of the future

Trading, Sir Gordon, now Lord, Borrie. Since the Act, the range and unpredictability of events has stayed well ahead of all but the very imaginative, fleet-footed — and lucky.

For those of us in the City, three new hands of opportunity and competition were opened. The first, and also the most critical for the largest firms, was the advent of multi-national practices. MNP's within the Common Market were planned for many years before 1992 and the barriers impeding them in practice steadily disappeared thereafter. The size, coherence and organization of the English firms were enormously to their advantage as they pushed

their people and ambitions on to the Continent.

We today have nearly 20 firms in Europe with offices or close affiliates in every major city.

But the real issue revolved around the freedom of non-EC lawyers — in practice, the major American firms — to enter into partnership with solicitors in this country. The Law Society hovered for a while on whether this freedom should depend on reciprocal rights in at least the majority of individual states; and by a narrow margin decided that it must.

There is still, 10 years on, a great deal of lobbying and discussion on the subject. It is only

too obvious that the prosperity, possibly the viability, of a great many City firms would be threatened if, as had been improbably rumoured, the likes of Skadden Arps merged with the likes of Freshfields; or Jones, Day, the largest firm in the world with over 2,000 lawyers, "acquired" a medium-sized City firm in the same way as it has successfully absorbed half a dozen such firms throughout the United States.

Meanwhile, the American law firms can no more than nibble at the edges of the leading City practices.

In contrast, the theoretical debate on the second crucial subject, multi-disciplinary practices, ended

sharply. Layer upon layer of argument against them piled high throughout the country. Some of it was based on vulnerable theory about conflict of interest, professional standards and so on; all of it was based, if not always openly, on the fact that the majority of solicitors could simply not compete successfully with accountants in most of the profitable practice areas.

So that decision for the Law Society proved a much easier one; but it faces a double practical challenge. First, there is a continuing and threatening review of it by the competition authorities, who are spurred on by

the fact that there are far fewer sympathetic lawyers in the present Labour government than in their Tory predecessors.

Secondly, although accountants may not be able to have solicitors in their partnership, their ability and willingness to practise law through solicitors on their staff is obvious and increasing. Tax and company law, employment law, pension schemes, probate, sales and purchases originally negotiated by the corporate finance team: these are only some of the areas of steady encroachment. Only in the most sophisticated transactions are the City firms fending off the predatory instincts of the big five.

But the accountants cannot deal with the third area, advocacy, and that is a field of increasing, albeit tentative, interest even to those City firms who a few years ago were thunderous in their support of a strong Bar.

The majority of the big cases in court are still, of course, conducted by barristers; yet five of our present High Court Judges are solicitors and a substantial number of entrants to the profession prefer the prospect of learning in the environment and with the resources of a major practice, to the uncertain and still very antiquated alternative at the Bar.

The next 10 years really cannot be as distracting and complicated. The structure and future of the profession needs to be allowed to settle and stabilize, if only so that we can spend more time and energy looking after our clients and less worrying about ourselves.

© The author is Senior Partner with Macfarlanes.

As 1992 looms closer, Josephine Carr looks at the options and responsibilities facing British practices

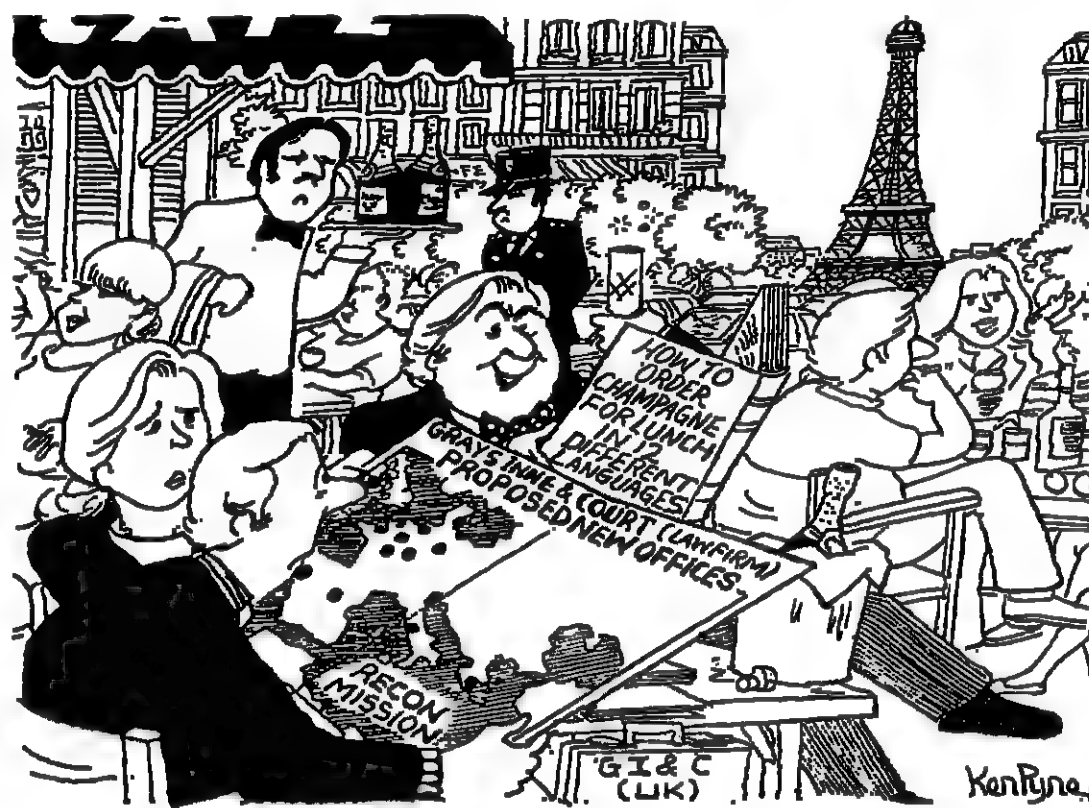
Single law firms go a-courting for future European partners

firms are also appreciating that they cannot operate in a world that used to be the exclusive domain of wealthy multinational clients and their advisers. In addition, while Britain is seen as a friendly springboard into Europe by the Americans and Japanese, provincial firms with good contacts across Europe have the opportunity to compete with London firms for international business.

However, not all firms are as aware of the European possibilities as the Law Society would like. Colm MacEochaidh, the society's international promotions officer, says: "Many British lawyers have failed to connect the role of law in the Single Market. They are used to law regulating not liberating. But as lawyers they have the role of pushing their clients into Europe."

"British lawyers must learn how to be value-adders, taking off their hat as legal advisers. If a client's new opportunities, entitlements and protections are not analysed and communicated to him by his lawyer they will be as good as not existing."

However, as the Law Society admits, not all firms have the wherewithal to bring themselves up to speed — teaching partners and assistants EC law and languages, building European alli-



ances and then marketing this new look to clients all takes time and money.

The vital question taxing managing partners in the City firms and the provinces alike is how to service the client who rings up and says he wants to set up a

manufacturing base in Sienna.

The City firms are already moving into top gear. Allen & Overy now has a partner resident in Gide Loyrette Nouel's office in Paris. Freshfields and Clifford Chance have just opened in Frankfurt. Simmons & Simmons,

Richards Butler and Lovell White & Durrant have established presences in Paris (despite the French Bar's almost hysterical attempts to prevent foreign lawyers opening offices there). Clifford Chance has also opened in Madrid.

Associations, on the other hand,

are less controversial than opening offices, and much cheaper. Firms are forming associations that are visible and therefore marketable. Shakespeare Duggan Lea & Co in Birmingham is a member of the Integrated Advisory Group International, an association of 30 law and accountancy firms across Europe.

Another option is to form a European Economic Interest Grouping (EEIG), a route followed by Manchester firm Pannone Blackburn and firms in Brussels, Paris, Milan and Madrid, who formed Pannone de Backer in 1988.

For those firms with no contacts at all there is always the option of joining the equivalent of a commercial dating agency, such as Eurolink. For a £750 fee a firm can join Eurolink's database of more than 82 small to mid-sized firms across 14 EC countries.

Then there is the Brussels connection. Brussels only makes sense for firms with a competition law practice which needs direct contact with the EC Commission. Rich pickings are now predicted by the 200 or so non-Belgian firms (of which 20 are British) with offices there, as they contemplate the reporting requirements under the new Merger Control Regulation.

There are lawyers in Brussels eager to offer their services to British lawyers in need of Brussels related advice. One of the more

individual is Stanbrook & Hooper. The firm contains English barristers and lawyers from six other EC jurisdictions. Clive Stanbrook QC, says: "Medium and small sized firms can both on our type of expertise which rivals City firms here. Through the chambers we are about to open in Chancery Lane they will also be able to access us in London."

The Law Society may soon be able to offer another option. Plans are afoot to open an office in Brussels able to provide facilities for members in need. Non-EC firms eager to ensure that their multinational clients do not defect to the City firms and anxious to avoid being left on the wrong side of the walls if fortress Europe materializes, are also making a splash in London.

Macfarlanes, Ashurst Morris Crisp and Nabarro Nathanson have formed "close associations" with rich and powerful American firms. And two City lawyers, Stephen Bennell and Hugh Thompson have set up their own partnership financed by New York firm Coudert Brothers, which will merge with Coudert once multinational partnerships are allowed in Britain — a prospect which has whetted the Americans' appetites for Europe.

But as the courting reaches fever pitch, a quick look at recent history may be in order. As Christopher Stokess, business development manager at Stephenson Harwood, warns: "There is a danger of repeating the mistakes made in the run up to Big Bang, with firms going for the headlines rather than building in an organic way."

© The author is editor, Euromoney International Financial Law Review.

© Colm MacEochaidh is a contributor to the Law Society Information Pack: Solicitors in the Single Market, available from the Society for £16.95.

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Queen's Bench Divisional Court

Law Report March 13 1990

Queen's Bench Division

Uncertainty factor in school decision

Secretary of State for Education and Science, Ex parte Avon County Council

Before Mr Justice Hutchison (Judgment February 23)

The Secretary of State for Education and Science, when weighing mutually contradictory proposals, should have proper regard to the consequences that rejection of a council's educational reorganization proposal would have in terms of disruption, delay and prolonged uncertainty for the majority of children and their parents in the area concerned.

Mr Justice Hutchison so held in the Queen's Bench Division in allowing an application for judicial review brought by Avon County Council of the decisions by the Secretary of State to reject the proposal by the council for the reorganization of the city of Bath's six secondary schools and the approval of an application by one of those schools to acquire grant-maintained status.

Miss Elizabeth Appleby QC and Miss Geneva Cawthra for the county council; Miss Presley Baxendale for the Secretary of State.

MR JUSTICE HUTCHISON said that section 12 of the Education Act 1980 provided, *inter alia*, that where a local education authority intended to make any significant change in the character of a school it had to publish proposals for that purpose and submit them to the Secretary of State.

Section 13 contained analogous provisions to deal, *inter alia*, with the situation where the initiative for significant changes came from the governors of a maintained school.

The Education Reform Act 1988 introduced the concept of grant-maintained schools, those maintained directly by the Secretary of State and governed by a board of governors effectively independent of the local education authority.

Section 73 of the 1988 Act addressed the situation where the approval or rejection of the section 12 or 13 proposals had to be considered at the same time as an application for grant-maintained status.

Where after publication of section 12 or 13 proposals for closure or reorganization of a school, the governors published proposals for the acquisition of grant-maintained status, the Secretary of State had to consider both sets of proposals together.

He had to determine the grant-maintained status proposal first and, if he decided to reject that proposal, to reject the section 12 or 13 proposals in respect of that school.

Where, as in the present case, the school applying for grant-maintained status was only one

of a number involved in the section 12 and 13 reorganization scheme, the Secretary of State was not obliged, on approving the application for grant-maintained status, to reject the entire scheme, if he considered that it remained viable.

In 1984, following consultation in the Bath area, the council had made proposals under section 12 of the 1980 Act to reorganize the city's six secondary schools, which included the conversion of one, Bechford Boys School, into a sixth-form college, the conversion of the other five into schools catering for children from 11-16 years only.

The council considered that the reorganization proposal was "a proper response to the problem of overcrowding in Bath".

On May 5, 1988, the Secretary of State rejected the proposals on the ground that the authority, in planning, considering and approving the proposals, had not adequately informed themselves of the local situation and had made no comprehensive assessment of the resource implications.

Following the publication on May 13, 1987, by the Department of Education and Science of its Circular No 3/87 "Providing for quality: the pattern of organization to age 19", the council's education committee resolved to proceed with consultation in the Bath area.

A final decision was made on January 10, 1989, to proceed with the proposed reorganization and on February 22, 1989, the council submitted its proposals for consideration to the Secretary of State.

Meanwhile, the governors of Bechford Boys School, on November 13, 1988, had resolved to ballot grant-maintained status, thereby initiating the process of making an application. In the ballot about two-thirds of parents voted and of those voting 53.4 per cent were in favour and 46.6 per cent were against.

The council's education committee resolved, with all-party support, to object with regard to the fact that its scheme of reorganization would be frustrated if the governors' application succeeded, and also with regard to the fact that a number of parents in favour of the application.

By a letter dated August 17, 1989, the council was notified that the Secretary of State had rejected its proposals. On the same day the chairman of the governors of Bechford Boys School was notified that the Secretary of State was minded to approve the governors' application subject to their changing the date of implementation to April 1, 1990. The governors agreed and on September 15 formal ap-

proval to the application was given.

The letter to the council gave no reasons but simply stated that "In reaching his decision, the Secretary of State concluded that the merits of the application by the governors of Bechford Boys School for grant-maintained status outweighed those of the authority's proposals."

In *R v Secretary of State for Education and Science, Ex parte Thrapston* (The Times June 2, 1988) Lord Justice Woolf said: "Apparently it is the practice of the Secretary of State to give a reasoned decision when rejecting proposals but not when accepting proposals. This practice is explained on the basis that he gives reasons so that proposers may take these into account and they may make fresh proposals when their original proposals are rejected."

The Secretary of State for Wales on the other hand gives reasons both for accepting and rejecting proposals. It is said that it is regrettable that the Secretary of State does not follow the practice of the Secretary of State for Wales.

Those sentiments were to be echoed, particularly since the failure to give reasons in this case (one of refusal) appeared to be contrary to the established practice in England.

It was argued on behalf of the Secretary of State that the failure to give reasons at the time of the decision had been made good by the affidavit of Mr D. H. Griffiths, the civil servant authorised to make section 73(2) of the Education Act 1984, in which the decision-making process was described and reasons were given.

The court was limited in its role. As Lord Justice Woolf said in *R v North Devon County Council, Ex parte Tebbutt* (unreported, June 26, 1986): "In considering the court's role the fact that a proposal requires the approval of the Secretary of State cannot be implemented until he has given such approval is an important consideration."

"This function of the Secretary of State does not exclude this court's jurisdiction but in my view the court should bear in mind that the Secretary of State is expressly bestowed this function upon the Secretary of State and not on the courts and, unlike the courts, the Secretary of State can consider not only the same matters that can be considered by this court, but also the merits of the application."

The council argued that the Secretary of State had failed to identify any positive merit in the Bechford Boys School acquiring grant-maintained status so as to enable him to weigh that merit against the disadvantages of the proposal.

LORD JUSTICE NEILL said that it had been argued that where, as in the instant case, an applicant put forward a version of the case that raised issues of fact, those issues could not be properly resolved by the court without the deponent attending for cross-examination.

That submission went too far. There might well be cases where the court would require deponents to attend. But it was clear from *R v Home Secretary, Ex parte Khawaja* (1984) AC 74, 124-5 that that would not always be necessary.

In every case it was necessary to consider whether the applicant had any prospect of establishing the facts. In this case there was no prospect of a court on a full hearing of the application concluding that the applicant was entitled to the status of grant-maintained school as required by section 38(1) of the Immigration Act 1971—that he was a British citizen.

Lord Justice Neill and Lord Justice Butler-Stoos agreed.

Solicitors: Glass Evans & Co, Tynford; Tremay Solicitors.

of refusing the council's proposal.

The Secretary of State could not be criticised for failing to mention every factor bearing on the choice he had to make, particularly where that factor was of itself of small significance, or might be so in his judgment.

Paragraph 17 of Mr Griffiths' affidavit read: "The Secretary of State next considered both sets of proposals together on their merits, evaluating one set against the other, bearing in mind that they were mutually contradictory and that a decision would have to be made between them."

The council submitted that the Secretary of State had not embarked on the process of weighing the two proposals one against the other. It was said on behalf of the Secretary of State that it was the Secretary of State's duty to make fresh proposals when their original proposals are rejected.

There was a failure by the Secretary of State, at the crucial stage of weighing one proposal against another, to have any regard to the most important factor: the consequences that rejection of the council's proposal would have in terms of disruption, delay and prolonged uncertainty for the majority of children and their parents in Bath.

In granting the relief sought the court, like the Secretary of State in a different context, had to perform a balancing exercise, weighing such matters as the considerable disruption, displacement and loss of certainty for Bechford Boys School, against the consequences of refusing in the exercise of the discretion to grant the relief sought.

Where a lease required a tenant's counter-notice to a landlord's notice to quit, a new rent on a review, to be properly served it had to be in writing as well as clearly indicating that the tenant wished to go to arbitration.

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Regina v Legal Aid Area No 8 (Northern) Appeal Committee, Ex parte Parkinson and Others

Before Mr Justice Simon Brown (Judgment March 2)

Where a legal aid certificate had to be refused or discharged in the face of a clearly favourable opinion from counsel, the legal aid appeal committee might be required to give extended reasons for their decision.

There was no reason why the appeal committee should not normally provide the extended reasons voluntarily in advance of the hearing, because their absence would not of itself lead to the quashing of the original decision.

Mr Justice Simon Brown so held in the Queen's Bench Division in quashing, because of failure to give extended reasons, the decision of the Northern Area legal aid appeal committee to refuse legal aid to Julie Parkinson and six other victims of damage and injuries caused by whooping-cough vaccine.

Mr Giles Wingate-Salt, QC and Mr Timothy Ryder for the appellants Parkinson and Garside; Mr Michael Bellotti, QC and Mr John Friel for the respondents. Appeal allowed.

MR JUSTICE SIMON BROWN said that the appellants, aged between three and 35, had each been vaccinated within a

period of a few days, whooping-cough and tetanus. Each had suffered brain damage and was anxious to sue for damages those responsible for vaccinating them. All were challenging the denial of legal aid by the respondents.

To succeed in their claims the appellants had to establish, among other things, both that the vaccine was capable of causing damage (general causation) and that it had done so in their case (specific causation).

In *Lovley v Renton and Another* (The Times March 31, 1988), a test case on the issue of general causation, the plaintiff had failed to satisfy Lord Justice Stuart-Smith that whooping-cough vaccine could cause permanent brain damage in any child.

Counsel for the plaintiffs in *Lovley* (Mr Brodie, QC, Mr Brent, QC, Mr Friel and Miss Beech) had drawn up an advice on appeal. They were agreed that, as required by the Tribunal and Inquiries Act 1971, Lord Justice Stuart-Smith should not be treated as a ground for refusing legal aid in suitable cases.

His Lordship accepted that the reasons for refusal provided by the legal aid committee in its written decisions were inadequate.

This was by no means an ordinary case. It called for something out of the ordinary in the way of reasons, some radical departure from the usual practice of dictating short reasons immediately upon the conclusion of the hearing.

Rather more than that, in

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deed, might properly be required in many cases where a certificate was to be refused or discharged in the face of a clearly favourable opinion from counsel.

In this unique and peculiarly sensitive series of cases, something was called for akin to the level of reasoning eventually afforded by the respondents in affidavits.

However, his Lordship did not accept the appellants' submission that the affidavits, in which the respondents explained in substantially more detail how and why they arrived at their decision, could not be invoked to supplement the reasons first given.

Neither did he accept that the inadequacy of the original reasons was grounds for quashing the decisions.

In *Mourview Court Properties Ltd v Devlin* (1970) 21 P & CR 689, which concerned the failure of a rent assessment tribunal to give proper reasons as required under the Tribunals and Inquiries Act 1971, Lord Chief Justice, Lord Parker, Lord Chief Justice, had found it impossible to say that a failure to provide sufficient reasons of itself gave rise to a right to have a decision quashed on appeal.

Lord Bridge said in the same case that the appellant had to demonstrate that the decision with which he was dissatisfied was itself vitiated by the error reached by an erroneous process of legal reasoning.

The principle had been applied in a more modern context by Mr Justice Woolf in *Craze v Supplementary Benefits Com-*

mission (1982) 1 All ER 498, pointing out that cases where decisions had actually been set aside turned on their own particular statutory provisions, which either gave grounds for bringing the matter before the High Court or made the reasoning fundamental to the decision.

Where, as in the present case, there were no special statutory provisions of either kind, the court could not quash on the sole ground that the reasons were inadequate. It must either remit the matter for further reasons or infer an error of law.

Given that position, with proper caution, there was no ground for allowing affidavits to supplement reasons, and little against either in the way of legal or practical objection.

Of course the supplementary reasons went only to the question of whether the decision reached was erroneous in point of law. The court could not repair the breach of duty involved in having provided inadequate reasons in the first place.

His Lordship found with hesitation and without enthusiasm that the committee had in fact misunderstood the joint opinion of counsel in *Lovley* and consequently had failed to consider the applications properly. The decisions were quashed on that ground.

Solicitors: Wren Hoin Apfel, Lytham St Anne's; Teacher Stern Selby, Anthony Gold, Lerman & Pritchard, Wrexham; Hughes & Partners, Wrexham; Collyer-Brissow, Manchester; Collyer-Brissow, Manchester.

Solicitors: Wren Hoin Apfel, Lytham St Anne's; Teacher Stern Selby, Anthony Gold, Lerman & Pritchard, Wrexham; Hughes & Partners, Wrexham; Collyer-Brissow, Manchester; Collyer-Brissow, Manchester.

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Misrepresentation justifies rescission

Musgrave Properties Ltd v Adhill Properties Ltd

Before Mr Justice Scott (Judgment February 27)

Any misrepresentation which in fact induced a person to enter into a contract entitled him to rescind the contract, whether or not it would have induced a reasonable person to enter the contract, related only to the question of onus of proof.

Where a lease required a tenant's counter-notice to a landlord's notice to quit, a new rent on a review, to be properly served it had to be in writing as well as clearly indicating that the tenant wished to go to arbitration.

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be regarded as valid counter-notice.

One could not serve an oral notice and, in any event, what the tenants had said to Adhill's agents had not satisfied the test laid down by Sir Nicolas Browne-Wilkinson, Vice-Chancellor, in *Long v Foster & Dick Ltd* (1985) 51 P & CR 310, 314, namely, that the counter-notice should be in terms sufficiently clear to bring home to the ordinary landlord that the tenant was exercising his right to terminate the lease.

Accordingly, the rents suggested by Adhill had, in the absence of service of any counter-notice, become binding by the time of the auction.

Counsel for Adhill had contended that it was protected by the disclaimer in condition 22 of the auction particulars, to the effect that neither the particulars nor any statement by the auctioneer would bind it.

It had become unnecessary to consider the effect on that point of section 3 of the Unfair Contract Terms Act 1977 (as substituted by section 8 of the Unfair Contract Terms Act 1977) because it was clear that

the disclaimer was not intended to protect the auctioneer from liability for misrepresentation.

MR JUSTICE SCOTT said that the formal notices which suggested specific annual rents, sent by Adhill to the three residential tenants of Nos 940, 942 and 944, had not triggered the procedure for rent review.

The parties concerned had therefore been bound by the terms of the lease for the purposes of section 34 of the Landlord and Tenant Act 1970.

MR JUSTICE SC

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- have at least 5 years post-graduate experience for COM / R / A / 46 and at least 15 years for COM / R / A / 45 in an area related to the vacancy they apply for; (i) have a thorough understanding of market implications of technologies, standards and user requirements. A thorough knowledge of IT industry and experience in technology management are an advantage; (ii) have proven ability to negotiate and take responsibilities in an international, multilingual environment.

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To obtain detailed job descriptions, further information and the compulsory application forms, please contact the following address, quoting the reference COM / R / A / 45 or COM / R / A / 46 on the envelope.

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HORIZONS

All set for a new course in space

Graduates in scientific and numerate disciplines are again being offered the chance of retraining by the Ministry of Defence for its science group. Joan Venner reports

To meet skill shortages in computer science and operation research in the Ministry of Defence Science Group, the ministry is again offering the chance of retraining to graduates in scientific and numerate disciplines.

Any numerate discipline is acceptable, but the scheme is particularly appropriate for people such as biologists, geographers and environmental scientists who may find degree-related openings limited in number.

This year, the ministry wants to retrain 43 graduates — postgraduates are not excluded — preferably with first-class degrees or upper seconds, who will be either sent on a year's course, leading to an MSc, or recruited directly and trained further. Applicants should be numerate and able to handle statistics and cope with the mathematical content of the training.

Those accepted for MSc or equivalent courses starting this autumn will receive a grant of £5,000, payment of tuition fees and a senior MoD scientist as a personal tutor.

There is a great diversity of jobs within the MoD. Each establishment has its specialities. For example, computer scientists in the Admiralty Research Establishment are involved with software support, knowledge-based systems and naval systems modelling. Opera-

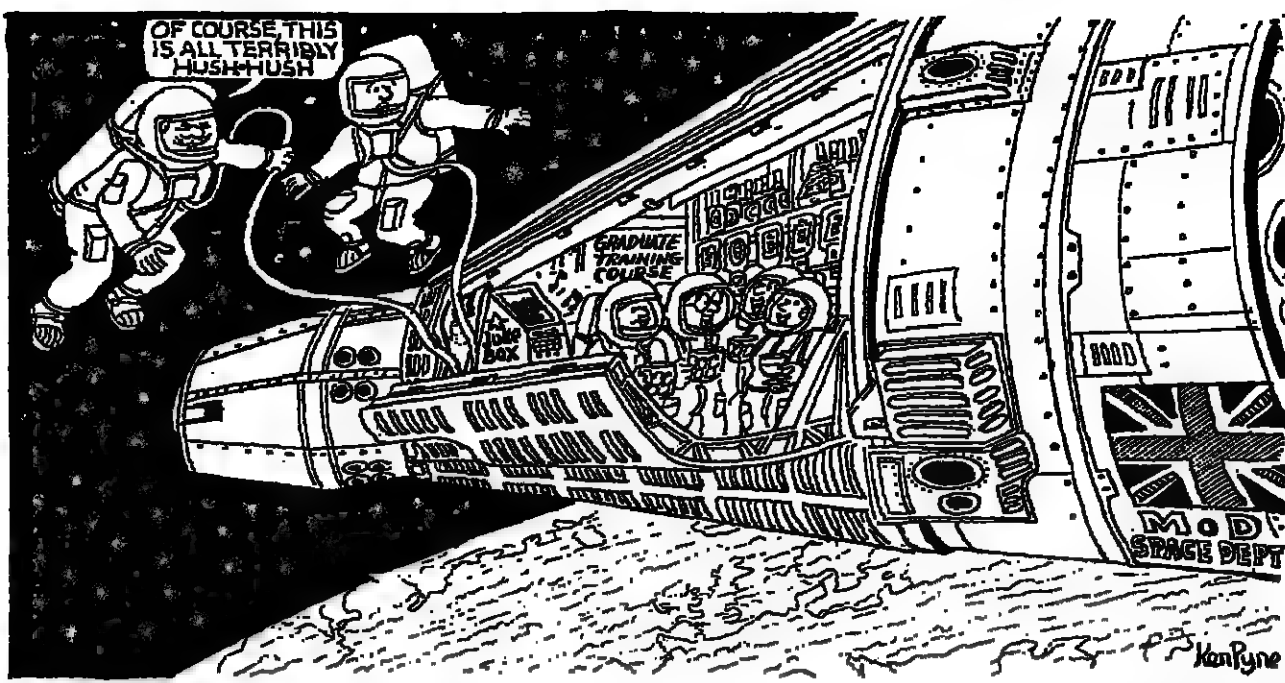
tional researchers provide scientific advice on naval operations and the procurement of a range of naval systems.

Those who join the Defence Science group, whether as trainees or direct entries, can follow one of three different career paths. Dr Lynne Wall, graduate-recruitment officer, explains that those who remain primarily interested in scientific research may pursue the individual merit route and develop their careers as recognized experts in a particular field of work.

A second group may decide on the managerial route. Though initially working in a specialization, they have the opportunity to develop managerial skills and to train to manage both staff and major projects.

Recruits to the Science Management Trainee Scheme are identified by Civil Service Selection Board procedures, and the scheme is open to both external and internal candidates. Trainees are exposed to a wide variety of work to fit them ultimately for some of the most senior posts in the ministry.

The final date for this year's applications for graduate retraining is March 31. Details can be obtained from Mrs D. Yates, Defence Science Group CM(S) 1b (R), Room 032, Pinesgate East, Lower Bristol Road, Bath, Avon BA1 5AB. Phil Tyley, now 23 and with a 2i in physics from Oxford, was a successful



candidate for graduate retraining. He thought that a postgraduate course in operational research would give him an understanding of concepts which are not acquired during a first degree course. "Doing a Master's enables you to think in different directions and learn new skills," he says.

When he filled in the application form, he was asked to state his first two choices of establishment. As a result, he was called for interviews at the Atomic Weapons Establishment and the Royal Armament Research and Development Establishment (Rarde). The former of-

fered him direct entry to a job, but he chose retraining, choosing with Rarde's approval, the MSc course at Birmingham.

The course was a mixture of theoretical and practical work, the final four months being spent on an industrial placement doing a project. In Mr Tyley's case, this consisted of going to Rarde to contribute to the development of models of future command, control, communications and intelligence battlefields organizations.

This required him to investigate how human abilities, in particular those of

interpreting information and making decisions, might be represented in a computer simulation. Since completing the MSc course, he has joined the permanent staff at Rarde.

"Now I am considering the project in more depth," he says. "I am coding for a programme to see whether we can get it to run for simulation."

Mr Tyley always wanted to work for the MoD. He thinks there is more variety than in industry, where he might be having to work out the best delivery route for a lorry. "Here," he maintains, "you are doing something of use for the

country, not working for some company's profits."

Another successful candidate, Ian Jones, now at the Royal Aerospace Establishment (Rae), left Sussex University with a first-class honours degree in chemical physics, and began to study for a PhD. But he found himself setting up laser experiments in a laboratory. He comments: "It was more and more like a car mechanic's job in terms of getting apparatus to work. I was spending time worrying about experimental aspects rather than intellectual challenges."

The graduate retraining scheme offered a chance to move into computing. His first preference was the Royal Signals and Radar Establishment, his second the Rae, but the Rae responded first, and he was shown around by someone in the space department. The work interested him, so he asked whether he could maintain a connection with this department.

The establishment approved his choice of Sheffield University for an MSc in computer science, and he chose to do his project at the Rae. Suitable topics were discussed with both Sheffield and the Rae and he joined the Rae early last May.

"In the space department," he explains, "they have an archive of remotely sensed satellite data. To help the retrieval of this data, a 'jukebox' which holds optical discs has been developed. My project was to design a user interface and catalogue system for the jukebox." Having completed that task, Mr Jones is working on image-processing and the writing of the associated software.

Working at the Rae, he says, enables him "to carry out research without the short-term commercial pressures associated with industry."

01-481 1066

PUBLIC APPOINTMENTS

01-481 1066

GENERAL MEDICAL COUNCIL SENIOR ADMINISTRATIVE ASSISTANTS

£15,500 per annum

The General Medical Council in the regulatory body for the medical profession.

Due to expansion and increased workload, we are currently recruiting Senior Administrative Assistants to work in the various divisions of the Council.

Candidates should be graduates with a minimum of 4 years' previous public administration experience. As well as assuming responsibility for his or her own work, the postholder will supervise the work of junior staff. There is frequent contact with members of the medical profession by telephone and letter so excellent oral and written communication skills are essential. An eye for detail and an interest in the medical field would be an advantage.

For further information about these posts please contact:-

Personnel Division
General Medical Council
44 Hallam Street, London W1N 6AE
Tel: 01 580 7642 (Ext 2133)

Closing date for completed applications:
30th March 1990.

UNIVERSITY OF DURHAM DIRECTOR OF THE INSTITUTE OF HEALTH STUDIES

Applications are invited for the post of Director of the Institute of Health Studies. The successful candidate will be expected to lead up and enhance effectively a Development Plan for the Institute in relation to demands identified within the region for research and research in Health Studies.

This is a new post which is payable for three years in the first instance from the outset date that can be arranged. The salary will be by negotiation but is expected to be not less than £27,000 per annum. This post may also be filled by an incumbent on a full-time basis.

Further particulars may be obtained from the Personnel Officer, University of Durham, Old Stone Hall, Durham DH1 1SD, to whom applications (12 copies) should be submitted, enclosing the names of 3 referees, not later than Friday 6 April 1990. Candidates outside the British Isles need submit one copy only.

DESIGN AND TECHNICAL SERVICES DEPARTMENT LARGE HOUSING PROGRAMME

Shetland occupies a top position in Scotland in more ways than one. For, in terms of environment, the Shetland Islands are second to none.

The islands have a single multi-disciplinary authority - Shetland Islands Council - which is one of the island's largest and most progressive employers. We are committed to an ambitious programme of housing development, calling for the skills and experience of capable, motivated individuals who wish to advance in their chosen professional disciplines in a progressive Design and Technical Services Department.

The Council's extensive housing programme requires the skills of both temporary and non-temporary employees to manage the Council's capital building programme. The temporary positions will be offered on a Fixed Term Contract basis.

The Building Maintenance Section is responsible for maintaining some £20 million worth of Council non-housing building stock.

NON-TEMPORARY POSITIONS

The following non-temporary posts are required to complete the formation of a Building Maintenance Team.

Building Maintenance Officer
SALARY £18,500 - £19,900 INCLUSIVE

In addition to establishing long term programmed maintenance plans, you will be responsible for supervising the overall maintenance of all Council properties except domestic housing. At the head of a committed team, you will take a high profile role at all stages of contractual inception, negotiation and performance.

You should be members of A.R.I.C.S. with at least 3 years' post-qualification experience.

Architectural Technician
SALARY £15,000 - £16,300 INCLUSIVE

You will assist the Building Maintenance Officer by undertaking building surveys, inspections and producing the necessary drawing and contract documentation under his/her guidance. You should be an experienced member of B.I.A.T. or equivalent institution.

Clerk of Works/
Building Cleaning Supervisor
SALARY £11,800 - £12,800 INCLUSIVE

Under the supervision of the Building Maintenance Officer your primary function will be to ensure that contracts are undertaken in accordance with the specifications and conditions of contract.

You will require several years' practical experience in the building industry.

The supervision of Building Cleaning Contracts is an integral part of this job.

Quantity Surveying Technician SALARY £15,000 - £16,300 INCLUSIVE

This appointment is required to complete an established team engaged on capital works.

Working under Quantity Surveyors you will assist in all aspects of project development from inception to completion. In addition, you will be responsible for the departmental functions. You will possess a high standard of education as well as three to five years' experience in the field.

DEDICATED HOUSING SECTION TEMPORARY APPOINTMENTS ON FIXED TERM CONTRACTS OF 4 YEARS

Programme Manager
SALARY £18,500 - £19,900 INCLUSIVE

You will be a highly autonomous role, providing technical and financial control for the Council's housing programme. Directly managing and liaising with professional in-house and consultant staff, you will take full responsibility for all stages of project development, from inception to completion, including feasibility assessment, tender analysis and pre and post-contract management duties. You will liaise with and report to the Chief Housing Department who have overall management responsibility for the Housing Capital Programme.

Architect
SALARY £16,600 - £17,900 INCLUSIVE

Your principal duty will be providing design control and contract supervision of the Council's housing programme. Reporting on feasibility, overseeing all aspects of architectural design and detail and approving tenders, you will also undertake on-site supervision and supply post-completion analysis. You will be a member of R.I.B.A./R.I.A.S., registered with A.R.D.U.K. and have R.I.B.A. part II and at least three years' post-qualification experience.

Architectural Technician
SALARY £15,000 - £16,300 INCLUSIVE

You will assist an Architect in the performance of all project duties, taking additional responsibility for emergency call-outs. You will be a member of B.I.A.T. or equivalent with three to five years' general construction design and site management experience.

Quantity Surveyor
SALARY £16,600 - £17,900 INCLUSIVE

Within our programme of building work, you will provide the Council with the necessary economic and legal controls. Preparing feasibility studies, bills of quantities and tender analysis, your duties will also include supervising work in progress and satisfactory project completion, as well as other professional responsibilities unrelated to specific projects. A member of A.R.I.C.S., you should possess at least three years' post-qualification experience.

In each of these demanding positions we are offering an attractive salary and benefits package, including excellent car user's allowance and relocation - as well as the opportunity to live in one of the most beautiful areas of Scotland.

For an informal discussion regarding any of these posts please contact Mr Frank Robertson, Deputy Director, at Lerwick (0586) 3535, ext. 228.

The closing date for receipt of applications is 6th April 1990.

For further details and form of application for all posts please contact the Personnel Department, Shetland Islands Council, 17 South Rd., Lerwick, Shetland ZE1 0PS, or telephone Lerwick (0586) 3535, ext. 3745. A 24 hour helpline service is available on FREEPHONE number 0800 83 83 84. An Equal Opportunities Employer.



FINANCIAL

GATESHEAD METROPOLITAN BOROUGH COUNCIL

Finance Department

Principal Revenue Officer

PO9 (£18,225-£19,632)

We require an enthusiastic, hard working officer with experience of income collection to head the Income and Community Charge Section of this progressive Local Authority. The successful applicant will be highly motivated and able to encourage others to take a pride in their work as well as manage the collection of income effectively and efficiently. Commitment is more important than qualifications, although ideally the successful applicant candidate will be GIPFA or IRRV qualified.

For an informal discussion please contact Don McLure or Denise Metcalfe on (091) 477 1011 (exts 3630 or 3355).

APPLICATION FORMS
Application forms are available from the Director of Personnel and Management Services, Civic Centre, Regent Street, Gateshead, NE8 1HN. Tel: (091) 477 1011 Ext 2282.
Forms should be returned to the Director of Personnel and Management Services by 23 March 1990.

EQUAL OPPORTUNITIES
We are an Equal Opportunities employer and welcome applications from candidates of any age, sex, race, marital status, religion or sex.
This Council operates a No Smoking Policy.



FINANCIAL

Finance Department COMMUNITY CHARGE CAREER OPPORTUNITY

Area Community Charge Collection or Enforcement Officer

£18,201-£20,076 per annum inclusive plus leased car

NEWLY IRRV QUALIFIED?

Are you up to controlling the collection of nearly 40,000 community charge accounts or all enforcement work of half the Borough? Can you effectively control, monitor and motivate eight officers to ensure an excellent and efficient service to the public? Do you have a background in revenues collection and dealing with the public, have a detailed knowledge of the law relating to community charge and are capable of leading others through a difficult and challenging period of change? Have you previously worked with on-line computer systems?

If you answered YES to the above questions we are looking for you to fill a vital position in the new Community Charge and Rating Section.

INTERESTED?

Keith Lovey, the Community Charge & Rating Manager would be pleased to hear from you and answer any questions you have about the post, ring 01 424 1923 or, for an application form, job description and person specification ring 01-424-1870 (answerphone) quoting Reference F36.50. Previous applicants will be reconsidered and need not re-apply. Application forms should be returned by 26 March 1990 to London Borough of Harrow, Finance Department, PO Box 21, Civic Centre, Harrow Middlesex HA1 3UJ.

Harrow is an Equal Opportunities Employer.



Senior Conveyancer

From £20,169 to £25,101 (inclusive)

We are looking for a high calibre Solicitor or Legal Executive.

A solid understanding of Property Law is essential and previous experience in either commercial conveyancing or local government would be an advantage.

Following the advancement of the current postholder to a more senior position in another local authority, an outstanding opportunity has arisen to join this prestigious organisation where you will be responsible for dealing with a variety of matters relating to the ownership, disposal and management of the Corporation's property with a commercial bias in a small team.

The Corporation's offices are located within easy access of a number of central London rail termini, including Liverpool Street and Cannon Street Stations. Interest-free loans are provided for the purchase of annual season tickets. Generous relocation expenses are paid in appropriate cases.

If you wish to informally discuss the details of the post then please contact Mr Laurence Bentley (Assistant City Solicitor - Property) on 01-260 1670.

Application Form and further details may be obtained from:

Comptroller & City Solicitor's
Department
P.O. Box 270,
Guildhall
London EC2P 2EJ
or by telephone: 01-260 1696.
Closing date: 28th March 1990



BROADLAND HOUSING ASSOCIATION LIMITED

CHIEF EXECUTIVE £28,000 plus car

The Association currently owns and manages 1,600 units of rented accommodation valued at £60m. The Board has recently adopted a Business Plan with a £15m development programme over the next five years including an element of private sector funding.

The Chief Executive is the principal adviser to the Board and will be responsible to the Members for the implementation of the Plan and the effective management of the Association's property portfolio. The person appointed will be required to lead and motivate the Association's multi-professional team.

Management skills are a paramount requirement but financial knowledge, experience of housing associations and the work of district councils would be an advantage. The person appointed will probably have a professional qualification.

The post is based in Norwich and arises from the forthcoming retirement of the present Chief Executive.

Further written particulars may be obtained from

The Chairman

Broadland Housing Association Limited
100 Saint Benedicts, Norwich, Norfolk NR2 4AB

Beech Road can defy faster conditions to lift crown again

By Mandarin
(Michael Phillips)

Confidence in Beech Road's ability to win the Waterford Crystal Champion Hurdle a second time from Cheltenham today stems from that enormously promising first run of the season on the same course in December.

On firmer ground than he will encounter this afternoon, Beech Road finished only a head and 1½ lengths behind the race-fitter Cruising Altitude and Nomadic Way to whom he was conceding six and 10lb respectively.

While both the first and the second were flat out that day, Beech Road, on his seasonal debut, finished full of running under a sympathetic ride from Richard Guest; tactics that provoked the feeling that he would have won if only he had been put in the race proper earlier.

In the meantime, Beech Road has been back to the scene of his greatest triumph twice, and won each time very easily indeed on good but fast ground.

His route then took in the National Spirit Trophy at Fontwell Park, which was the same path that he followed before he won his first title.

However, whereas he beat Vagador last year, this time he was just beaten by him.

Even in defeat, Beech Road showed that he was a better horse than a year ago. At Fontwell he failed by a head to give a stone to a horse who had finished only 3½ lengths behind him at level weights in last year's Champion.

While it remains my

National Hunt Festival

contention that Beech Road will be completely at ease on today's going, it must be conceded that Kribensis is likely to be much more effective on it than he was on the corresponding occasion last year.

Then, as the rain fell and the course got gradually softer, he failed to find anything, having led into it. That remains the only time Kribensis has ever been beaten over hurdles.

Last time out, he easily accounted for Island Set and Cruising Altitude at Wincanton.

While excuses were made for Cruising Altitude that day, I still believe that Kribensis is the one that Beech Road has got to beat.

Twelve months ago, Cheltenham's annual fest began with Sordiro winning the Waterford Crystal Supreme Novices' Hurdle.

Now that result can be taken as a pointer to Beech Road's chances of following in his footsteps. When she made that highly-promising debut at Ascot last season she forced Sordiro to pull out all the stops. That was the last we saw of Beech Road until she ran an equally promising race against the talented Riverhead at Sandown last month.

There then followed that very easy victory at Haydock, which I also like about Biter.

Buck is the fact that she is comparatively fresh with only two races under her belt this season. That can be an important factor at this stage.

Of course, she has Riverhead to beat again, not to mention Forest Sun who is likely to start favourite on the strength of successive victories at Kempton, Sandown, Newbury and Ascot.

As far as the Waterford Crystal Stayers Hurdle is concerned, Floyd would be a good bet if only one could bank on him being as effective over three miles and a furlong as he has consistently shown himself over shorter distances.

I am going to side with Old Dandelak, who impressed when winning over three miles on good ground at Kempton last month.

At his best the former champion hurdler Celtic Shot would obviously be hard to beat in the Arkle Challenge Trophy but, as he had a heavy fall at Ascot last time, I am content to pass him over now in favour of Commandante, another relatively fresh horse whose jumping impressed at Newbury 10 days ago.

Hazy Sunset, my selection for the Kim Muir Challenge Cup, is a good ride for an amateur who will revel in the conditions underfoot, while Katabatic, my choice for the Grand Annual Chase at the end of the programme, can again the winning trail now that he is racing over two miles again (the distance over which he has been successful three times this season) after failing, albeit quite narrowly, to last further at Kempton in January.

BIG RACE LINE-UP BBC1

3.30 WATERFORD CRYSTAL CHAMPION HURDLE (Championship race: £50,047; 2m) (19 runners)

301 13-8011 BANK VIEW 24 (D,B,G) (Data Bloodstock Ltd) N Tinker 5-12-0	G McCourt	83
302 11-3112 BEECH ROAD 22 (D,B,F,G) (T Goss) G Balding 8-12-0	R Guest	89
303 F3-1113 CRUISING ALTITUDE 19 (D,C,F,G) (Mrs C Heath) O Sherwood 7-12-0	J Osborne	86
304 11-4221 DEEP SENSATION 31 (D,G,S) (R Sior) J Gifford 5-12-0	R Rowe	83
305 12-4442 DIS TRAIN 59 (D,G,S) (M Oberstein) Mrs J Pitman 5-12-0	M Pitman	80
306 1234-02 DON VALENTINO 24 (D,B,S) (A Nadir) Mrs J Pitman 5-12-0	H Davies	75
307 128-028 ELEMENTARY 31 (D,B,F,G) (P Green) J Bolger (ire) 7-12-0	T Carmody	91
308 112-522 ISLAND SET 11 (D,B,F,G) (J Shorr) K Morgan 8-12-0	C Grant	79
309 122-51 JINKY JACK 18 (D,G,S) (Mrs B McKinnay) G Richards 6-12-0	N Daughy	78
310 110-111 KIRIBENSIS 19 (D,C,F,G) (Sheikh Mohammed) M Stoute 6-12-0	R Danwoody	95
311 14-1121 MOKLEY STREET 80 (D,B,F,G) (Salehurst Paper Co Ltd) G Balding 6-12-0	J Frost	79
312 128-321 NOMADIC WAY 31 (D,B,F,G) (R Stanger) G Hills 6-12-0	P Scudamore	94
313 4-0222 PAST GLORIES 19 (D,S) (N Hatherton) J Hatherton 7-12-0	J J Quinn	71
314 111-111 PERSIAN STYLE 123 (D,G,S) (P Hopkins) J Gifford 6-12-0	Peter Hobbs	58
315 34-121 REDUNDANT PAL 58 (D,S) (P O'Neill) P Mullins (ire) 7-12-0	C O'Dwyer	89
316 111-111 SEE YOU THEN 19 (D,C,F,G) (Styke Wood Stud) N Henderson 10-12-0	S Smith Eccles	—
317 101-111 SPICE FAIR 233 (D,F,S) (Osborne House Ltd) R Lee 7-12-0	W McFarland	58
318 308-118 SUDEN VICTORY 31 (D,G,S) (R Sangster) B Hills 6-12-0	K Mooney	67
319 226-119 VAGADOR 22 (D,G,S) (Miss A Harwood) G Harwood 7-12-0	M Perrett	86

BETTING: 2-1 Kribensis, 5-2 Beech Road, 9-1 Cruising Altitude, 10-1 Nomadic Way, 12-1 Morley Street, 16-1 Vagador, 20-1 See You Then, 33-1 Don Valentino, 40-1 Deep Sensation, 50-1 others.

1988: BEECH ROAD 7-12-0 R Guest (50-1) G Balding 15 ran

Form guide to the 19 contenders

BANK VIEW

Feb 17, Leopardstown, soft: (12-0) best Bank View (10-0) 2m, listed, £5,000, 8 ran.

Jan 10, Haydock, soft: (11-1) best Bank View (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good: (11-10) 12m, with PAST GLORIES 19 (11-10) 2m, listed, £5,000, 7 ran.

BEECH ROAD

Feb 17, Cheltenham, soft: (12-0) best Beech Road (12-0) 18m, listed, £5,000, 8 ran.

Jan 13, Cheltenham, good to firm: (11-12) best Beech Road (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Beech Road (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

CRUISING ALTITUDE

Feb 22, Wincanton, soft to firm: (11-12) best Cruising Altitude (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Cruising Altitude (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Cruising Altitude (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

DEEP SENSATION

Feb 10, Newbury, heavy: (11-3) best Deep Sensation (11-3) 15m, with PAST GLORIES 19 (11-3) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Deep Sensation (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Deep Sensation (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

DIS TRAIN

Feb 17, Leopardstown, good to firm: (11-12) best Dis Train (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Dis Train (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Dis Train (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

ELEMENTARY

Feb 10, Leopardstown, soft to firm: (11-12) best Elementary (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Elementary (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Elementary (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

ISLAND SET

Feb 10, Haydock, heavy: (11-8) 12m, with PAST GLORIES 19 (11-8) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, good to firm: (11-12) best Island Set (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Island Set (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

JINKY JACK

Feb 10, Leopardstown, soft to firm: (11-12) best Jinky Jack (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Jinky Jack (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Jinky Jack (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

KIRIBENSIS

Feb 22, Wincanton, good to firm: (11-12) best Kribensis (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Kribensis (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Kribensis (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

NOMADIC WAY

Feb 10, Leopardstown, soft to firm: (11-12) best Nomadic Way (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Nomadic Way (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Nomadic Way (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

PERSIAN STYLE

Nov 10, Cheltenham, good: (11-0) best Persian Style (11-0) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, good to firm: (11-12) best Persian Style (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Persian Style (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

REDUNDANT PAL

Feb 10, Leopardstown, good to firm: (11-12) best Redundant Pal (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Redundant Pal (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Redundant Pal (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

SEE YOU THEN

Feb 22, Wincanton, good to firm: (11-12) best See You Then (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best See You Then (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best See You Then (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

SPACE FAIR

May 24, Carnarvon, firm: (11-10) best Space Fair (11-10) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Space Fair (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Space Fair (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

VAGADOR

Feb 10, Leopardstown, soft to firm: (11-12) best Vagador (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

Jan 13, Cheltenham, firm: (11-1) best Vagador (11-1) 15m, with PAST GLORIES 19 (11-1) 2m, listed, £5,000, 7 ran.

Dec 30, Newbury, good to firm: (11-12) best Vagador (11-12) 15m, with PAST GLORIES 19 (11-12) 2m, listed, £5,000, 7 ran.

CHELTEMHAM

Selections

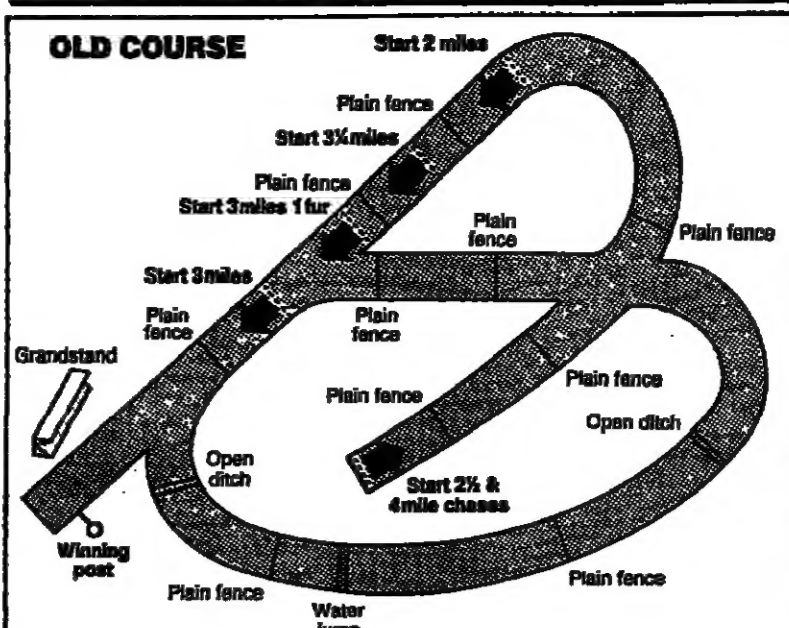
By Mandarin

2.15 Bitter Buck.
2.50 Commandante.
3.30 BEECH ROAD (nap).

4.05 Old Dandelak.
4.40 Hazy Sunset.
5.15 Katabatic.

By Michael Seely

2.15 Forest Sun. 3.30 BEECH ROAD (nap). 4.05 Ryde Again.
The Times Private Handicapper's top rating: 3.30 BEECH ROAD.



MOTOR RACING: TYRRELL FIND A YOUNG FRENCH UPSTART WITH A CAPACITY FOR TAKING VETERAN RIVALS IN HIS STRIDE

Shortest cuts lead Alesi to the top



David Miller

Phoenix
There is a revealing story concerning Jean Alesi, the exciting young runner-up in Sunday's Formula One Grand Prix, which testifies to his determination, and I fancy we shall be seeing quite a bit more of that from the Frenchman from Avignon and Oxford in the coming months.

In last year's Hungarian event, Nigel Mansell conceded that Alesi, driving for Tyrrell, had bullied him during the qualifying practice. Would Ken Tyrrell please tell his junior, the veteran Mansell demanded afterwards, kindly to mind his manners on the course. Better speak to Alesi, Tyrrell said. Mansell did. Alesi told him, in the nicest French way, to get lost.

Alesi's duel with Ayrton Senna, keeping the lead for the first 34 laps, created the central drama of the opening Formula One race. "I had a small war out there with him," Alesi said. "I tried to stay correct. For me it was a great day."

It was indeed, and a fine day, too, for Tyrrell, with both drivers in the points frame, Satoru Nakajima finishing sixth. The pity is that the lack of power of the Tyrrell-Ford means that on courses faster than Phoenix's down-town street circuit, Alesi will not be in contention with the big three of McLaren-Ferrari-Williams, unless they have mechanical illness as Ferrari miserably did on Sunday.

Ken Tyrrell, the Dixon of Dock Green, the father figure of motorsport racing, is lavish in his compliments for Alesi, aged 25, who was racing in his only fifth Formula One race in his second season. "He knows what he wants, and he thinks he knows how to get it," Tyrrell said afterwards. "When he found on Saturday that he would be fourth on the grid, he said: 'I'll lead the race in the first few laps'. He has the same natural talent as Jackie Stewart had. Some drivers take time [to develop],



Trail blazer: Alesi races into an early lead in the United States Grand Prix at Phoenix, closely followed by Berger (right) and Senna (behind) in McLarens

but like Jackie, Jean takes short cuts.

Alesi had 38 seconds in hand over Thierry Boutsen, of Williams-Renault, in third place when Senna finally overtook him in the 35th lap; and therefore decided not to challenge for the lead again but to preserve his tyres and maintain second place. Had he continued to drive aggressively, it could have cost him dearly, "I would have been angry if he had," Tyrrell said.

The race may have proved to have been a breakthrough for Pirelli, with four cars including Modena's Brabham and Martini's Minardi, in the top seven. They have produced race times that lasted the (slowish) 72 street laps as well as their traditionally fast qualifying times.

No matter how much money, and hyperbole, may be poured into Ferrari's effort by the Italian publicity machine, the cars of Alain Prost

and Mansell both failed on the day: Prost retiring after 22 laps in a plume of smoke, Mansell bursting into flames after 49 laps.

Last season Ferrari finished only nine times. Steve Nicholson, the American engineer who left McLaren after long-running differences with Ron Dennis at the end of nine years, thinks it will take some time, maybe two or three years, before his influence might have a chance to reach its full effect with Ferrari. He regrets that inflated publicity from one first test lap in Estoril — out of four eight-hour days of testing — led to exaggerated expectations. McLaren's, he admits, are close to perfection.

For Senna, obsessive in his search for success, victory was rather like aspirin for an enduring headache. "Today gives me something to lean on," he said. "I still need to clear up lots of things in my mind, things that right now I

don't have an answer for. The motivation I have is not the right one. I'm driving just by instinct. All the other feelings are not there. The consequences of the weekend have not changed my mind [about his uncertain future]."

In the early laps, with a full tank, Senna said that he was concerned about an overheating of his brakes, and just followed Alesi and Gerhard Berger — his team colleague who hit the buffers on the ninth lap — at a safe distance, subsequently waiting to see how Alesi's tyres would wear, "to evaluate how near he was to the limit". The four laps from the 32nd, when Senna began to attack, were thrilling.

"When I took him on the 34th, I left him some room, for a clean fight," Senna said. "But in attacking me immediately, he went wide, got on to the dirt section of the road, and had no grip. If I hadn't eased he wouldn't have

got round the next bend. He took a chance, but that is racing.

"When I took him again at the same bend in the next lap, I didn't give him the same room to come back — and now I was on the dirt. I had to stop almost dead and take bottom gear, but he didn't have room to get by on the outside as we slowed round together. It took me several corners to get my tyres clean."

It is a long time, Senna said, since he has had such a good hard fight as that, though he

agrees that on faster circuits Tyrrell's should have less chance. Pirelli's improved tyres will make the championship more competitive, he thinks. What Alesi did, Senna reflects, was to bring the best out of him, that spontaneous love of competitive driving that is in his soul. The sport could see much more of both of them: to disprove the slightly insulting contention of Bernie Ecclestone, motor racing's Mr Fix-It, that drivers are no more than lightbulbs. Take one out, put another in.

PHOENIX RESULTS

1. A. Senna (Br), McLaren, 1hr 56min 57.5sec; 2. Gerhard Berger (Austria), McLaren (P), 1hr 57min 1.5sec; 3. Thierry Boutsen (Bel), Williams (P), 1hr 57min 1.5sec; 4. Nelson Piquet (Br), Williams (P), 1hr 57min 1.5sec; 5. Satoru Nakajima (Jpn), Tyrrell (P), 1hr 57min 1.5sec; 6. Ayrton Senna (Br), McLaren (P), 1hr 57min 1.5sec; 7. Alain Prost (Fr), Ferrari (P), 1hr 57min 1.5sec; 8. Steve Nicholson (USA), Ferrari (P), 1hr 57min 1.5sec; 9. Martin Donohue (Ir), Tyrrell (P), 1hr 57min 1.5sec; 10. Roberto Benetton (It), Benetton (P), 1hr 57min 1.5sec; 11. Michael Schumacher (Ger), Benetton (P), 1hr 57min 1.5sec; 12. Riccardo Patrese (It), Ferrari (P), 1hr 57min 1.5sec; 13. Aguri Suzuki (Jpn), Tyrrell (P), 1hr 57min 1.5sec; 14. Andrea de Adamich (It), Minardi (P), 1hr 57min 1.5sec; 15. Pierluigi Martini (It), Minardi (P), 1hr 57min 1.5sec; 16. Stefano Modena (It), Brabham (P), 1hr 57min 1.5sec; 17. Thierry Boutsen (Bel), Williams (P), 1hr 57min 1.5sec; 18. Nelson Piquet (Br), Williams (P), 1hr 57min 1.5sec; 19. Satoru Nakajima (Jpn), Tyrrell (P), 1hr 57min 1.5sec; 20. Ayrton Senna (Br), McLaren (P), 1hr 57min 1.5sec; 21. Alain Prost (Fr), Ferrari (P), 1hr 57min 1.5sec; 22. Steve Nicholson (USA), Ferrari (P), 1hr 57min 1.5sec; 23. Martin Donohue (Ir), Tyrrell (P), 1hr 57min 1.5sec; 24. Roberto Benetton (It), Benetton (P), 1hr 57min 1.5sec; 25. Michael Schumacher (Ger), Benetton (P), 1hr 57min 1.5sec; 26. Riccardo Patrese (It), Ferrari (P), 1hr 57min 1.5sec; 27. Aguri Suzuki (Jpn), Tyrrell (P), 1hr 57min 1.5sec; 28. Andrea de Adamich (It), Minardi (P), 1hr 57min 1.5sec; 29. Pierluigi Martini (It), Minardi (P), 1hr 57min 1.5sec; 30. Stefano Modena (It), Brabham (P), 1hr 57min 1.5sec.

GOLF

Ballesteros shows hunger for victory is as fierce as ever

From Mel Webb
Palma, Mallorca

The £45,825 first prize Severiano Ballesteros took home by winning the Mallorca Open here on Sunday gave him a convincing start on the route to becoming the first man to exceed £3 million in prize-money on the PGA European Tour.

He went through the £2 million barrier just by making the cut at Son Vida, and by doing so proved that a life of golfing fame and fortune is now attainable without straying beyond the boundaries of Europe. The only requirement on the job description is that the applicant must be a genius.

Ballesteros is a man blessed with talents unimaginable to mere mortals. He can do things with a golf ball that in other walks of life would find a more appropriate stage in a three-ring circus.

He has won five majors and his victory here took him to 60 tournament wins worldwide. He is, arguably, the most talented, if not the most consistent player in the world.

Although the target he achieved here was something of a watershed in the history of European golf, it meant little to him. He is not motivated by anything as commonplace as money. He passed that point long ago.

No, like all great champions, he is hooked on the flavour of victory, the high that is only achieved on the green of Europe. With it, life is best lived and Ballesteros, without it, no more than a sausage sandwich and a glass of brown ale.

More particularly, he wants more major titles, and claims that the venues for the four major championships this year could provide just the menu to keep the master's table laden.

His victory here will put him in good heart for his attempt to win his third Claretiers Cup next month. He has had a 10-year love affair with Augusta, an affair that will continue when

this year's festival among the azaleas, dogwoods and other clichés gets under way on April 5.

He is also fond of Medinah, near Chicago, the scene of this year's US Open, and Shoal Creek, Alabama, where the US Open will be played. But, most of all, he loves St Andrews. He won his second Open Championship there in 1984 when a birdie at the last hole brought him a heart-breaking two-shot victory over Tom Watson and Bernhard Langer.

At the age of 32, Ballesteros is not content to let it rest there. He wants more, and in spite of more, any says that in spite of more, he plays with a heavy cold at Son Vida, he says his best golf for six months.

After a week at home, he will go off to Bay Hill the week after next, to the Ritz-Carlton, in good heart. There are more challenges awaiting Severiano Ballesteros. He just cannot wait to get his teeth into them.

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A sad finish by Lyle

Corral Springs, Florida — While John Huston was celebrating his two-stroke win in the Honda Classic here, Sandy Lyle's confidence hit rock bottom as his final round of 79 left him among the tailenders (John Ballantine writes).

Amazingly, Lyle took four putts on the second green from

REAL TENNIS

Lake the perfect organizer

By Sally Jones

The rapidly improving Ros Lake celebrated her birthday in style with a gritty victory in the George Wimpey British women's handicap tournament (first division) at Hatfield House yesterday. She did not drop a set.

Lake, who is also the tournament organizer, made full use of her home court advantage. She survived a tense struggle against Anne Walton in the semi-final before beating the consistent Paula Wilson in the final. In the first set, Wilson fought back from 1-4 down to 4-4 before Lake again took control with her accurate ground strokes and a series of short winning chances.

The powerful left-hander, Maggie Henderson-Tew, made it a Hatfield double when she won the second division at Oxford after a high-quality, three-set final against the promising Viola Mason.

The closest match of the day was the doubles final, in which Caroline Dixon and Lesley Kettle survived four match points after trailing 4-5, 0-40 in the final set to Gill Oliver and Jennifer Moffett. Before battling back to 5-5, 40-40. After a long rally, Dixon, who has only recently returned after the birth of her son, calmly powered a cross-court winner onto the base of the tumbler to take her first major national title.

RESULTS: First division: Singles: Heather M. Pignatelli 1, 6-3, 6-3, 6-3; 2, 6-3, 6-3, 6-3; 3, 6-3, 6-3, 6-3; 4, 6-3, 6-3, 6-3; 5, 6-3, 6-3, 6-3; 6, 6-3, 6-3, 6-3; 7, 6-3, 6-3, 6-3; 8, 6-3, 6-3, 6-3; 9, 6-3, 6-3, 6-3; 10, 6-3, 6-3, 6-3; 11, 6-3, 6-3, 6-3; 12, 6-3, 6-3, 6-3; 13, 6-3, 6-3, 6-3; 14, 6-3, 6-3, 6-3; 15, 6-3, 6-3, 6-3; 16, 6-3, 6-3, 6-3; 17, 6-3, 6-3, 6-3; 18, 6-3, 6-3, 6-3; 19, 6-3, 6-3, 6-3; 20, 6-3, 6-3, 6-3; 21, 6-3, 6-3, 6-3; 22, 6-3, 6-3, 6-3; 23, 6-3, 6-3, 6-3; 24, 6-3, 6-3, 6-3; 25, 6-3, 6-3, 6-3; 26, 6-3, 6-3, 6-3; 27, 6-3, 6-3, 6-3; 28, 6-3, 6-3, 6-3; 29, 6-3, 6-3, 6-3; 30, 6-3, 6-3, 6-3; 31, 6-3, 6-3, 6-3; 32, 6-3, 6-3, 6-3; 33, 6-3, 6-3, 6-3; 34, 6-3, 6-3, 6-3; 35, 6-3, 6-3, 6-3; 36, 6-3, 6-3, 6-3; 37, 6-3, 6-3, 6-3; 38, 6-3, 6-3, 6-3; 39, 6-3, 6-3, 6-3; 40, 6-3, 6-3, 6-3; 41, 6-3, 6-3, 6-3; 42, 6-3, 6-3, 6-3; 43, 6-3, 6-3, 6-3; 44, 6-3, 6-3, 6-3; 45, 6-3, 6-3, 6-3; 46, 6-3, 6-3, 6-3; 47, 6-3, 6-3, 6-3; 48, 6-3, 6-3, 6-3; 49, 6-3, 6-3, 6-3; 50, 6-3, 6-3, 6-3; 51, 6-3, 6-3, 6-3; 52, 6-3, 6-3, 6-3; 53, 6-3, 6-3, 6-3; 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